

Fall 1996

1996 Cardozo Life (Fall)

Benjamin N. Cardozo School of Law

Follow this and additional works at: <https://larc.cardozo.yu.edu/cardozo-life>



Part of the [Law Commons](#)

Recommended Citation

Benjamin N. Cardozo School of Law, "1996 Cardozo Life (Fall)" (1996). *Cardozo Life*. 2.
<https://larc.cardozo.yu.edu/cardozo-life/2>

This Book is brought to you for free and open access by the Publications at LARC @ Cardozo Law. It has been accepted for inclusion in Cardozo Life by an authorized administrator of LARC @ Cardozo Law. For more information, please contact christine.george@yu.edu, carissa.vogel@yu.edu.

A PUBLICATION OF
BENJAMIN N. CARDOZO
SCHOOL OF LAW
YESHIVA UNIVERSITY

FALL 1996

Cardozo LIFE





Features

An Interview with Marci Hamilton 14

Intellectual Property, the Internet, and Justice Sandra Day O'Connor are just a few of the topics covered in this conversation with the director of Cardozo's Intellectual Property Program.

Custom, Currency, and Copyright: Aboriginal Art and the \$10 Note 19

A look at an Australian copyright case by a legal scholar and an art historian.

BY MONROE PRICE,
JOSEPH AND SADIE DANCIGER PROFESSOR OF LAW
& **DR. AIMÉE BROWN PRICE**

Cardozo at 20. 23

Cardozo's founders—both deans and faculty—are honored as the school begins its 20th anniversary year.

Tort Reform: A Way to Protect Customers 28

A call for a measure of sanity in the tort system by one of its most vocal critics.

BY LESTER BRICKMAN,
PROFESSOR OF LAW



Departments

Around Campus 3

Rudenstine Appointed Dean *ad interim*
• Three Distinguished Visitors on
Campus • 9th & 11th Floors Available •
Cardozo Receives High Marks from
ABA • Conference on Buffett Essays •
Decline of the Nation State Discussed

Faculty Briefs. 10

Four Professors Join Faculty • Wishart
Wins Top Librarian Award • Jim Lewis
Dies at 84 • News Briefs

Alumni News & Notes. . . 30

Susan L. Davis
EDITOR

Paulette Crowther
ASSOCIATE EDITOR

Alice Weil
COPY EDITOR

Judy Tucker
ART DIRECTOR

Norman Goldberg
PHOTOGRAPHY DIRECTOR

Gary Mann
STAFF PHOTOGRAPHER

Cardozo Life is published twice each year by
the Department of Public Relations
Benjamin N. Cardozo School of Law
Yeshiva University
Brookdale Center, 55 Fifth Avenue
New York, New York 10003
Phone (212) 790-0237
FAX (212) 790-0203

Editorial contributions and submissions
are welcome. This publication accepts
no responsibility for unsolicited manuscripts
or photographs. All submissions are
subject to editing and are used
at the editor's discretion.



From the Dean

Reflection and Prognostication

This fall marks Cardozo's 20th academic year: a special occasion that invites reflection, assessment, and prognostication.

Cardozo's founding dean was Monrad Paulsen. He was a towering figure—a world renowned scholar, a legendary teacher, a prominent and forceful law school dean. These important roles surely made him the powerhouse that he was. But the sum of Monrad was far greater than even these highly significant parts. Monrad was, perhaps more than anything else, an irresistible, uplifting, visionary man. He was filled with hope and promise and his spirit was contagious.



Cardozo and Monrad fit well together. Cardozo gave Monrad a focus for all that he had and all that he could give. Monrad gave Cardozo an inspiring beginning, an exceptionally able and resourceful faculty, and a sense of mission that filtered through the entire Cardozo community and remains a vital part of the School's character. Monrad's gifts were rare, and he gave them freely. We continue to be honored that he was our founding dean, and we are indebted to him for his remarkable contributions.

Cardozo has been shaped equally by its founding faculty. Indeed, Cardozo would not be Cardozo without these scholars, who continue to teach, write, and shape the Law School in countless ways. Professors Lester Brickman, Edward de Grazia, Malvina Halberstam, Eva Hanks, John Hanks, Peter Lushing, and Jonathan Silver are forever linked as a force that has collectively had an indelible impact on what Cardozo has been, is, and will be.

In addition, there are Yeshiva University Presidents Samuel Belkin and Norman Lamm, Board Presidents Jacob Burns and Earle I. Mack, and members of the Board of Directors, who have had an immeasurable influence on shaping and supporting the Law School. Former deans and the faculty as a whole have also been keepers of the flame and daily builders of Cardozo.

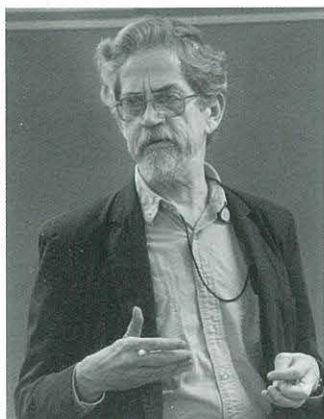
In this issue of *Cardozo Life*, we honor our founders and look to our future. Four superb new faculty members have joined us, nationally recognized visitors are on campus, a strong entering class began its legal studies this fall, and our curriculum is constantly being strengthened by the activities of our current faculty.

Cardozo's Intellectual Property Program, which is highlighted in this issue, deserves special mention. Its richness coupled with three full-time faculty members and many adjunct professors make it one of the strongest and most exciting intellectual property programs in the country. It is an important aspect of Cardozo's future, built on a strong foundation shaped by those we honor in our 20th year.

David Rudenstain

Three Distinguished Academics Visit Cardozo

John D. Ayer, a professor at the University of California at Davis School of Law and a former bankruptcy judge, is teaching both Bankruptcy and Corporations this fall. He has been a visiting



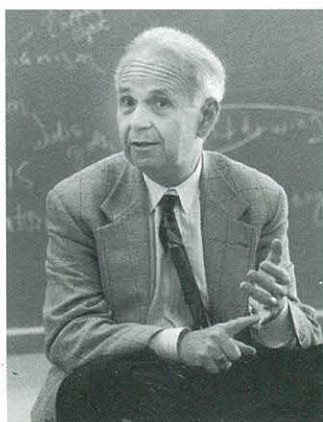
Ayer

professor at numerous schools, including the University of Pennsylvania and Stanford Law Schools and the London School of Economics. He also has worked in private practice at the Los Angeles firm of Stutman, Treister & Glatt. Prior to entering the legal field, Ayer enjoyed an award-winning career as a journalist for both *The Louisville Times* and *The Courier-Journal*. While in New York this semester, he is creating a web page offer-

ing materials on basic finance concepts for lawyers. Ayer is a regular contributor to the *Norton Bankruptcy Newsletter*. He holds a B.A. and J.D. from the University of Louisville and an LL.M. from Yale University.

Renowned literary theorist and law and literature scholar Stanley Fish is teaching Rhetoric, Law & Power this fall. In his class, students are studying the rhetoric of the ancient Greeks and Romans. Fish notes that students explore the ancient scholars' convictions that all law is rational. They read classics by Macchiavelli and Hobbes as well as works by contemporary law theoreticians. The class further inquires into the historic inseparability of power and law. Fish points out the irony to his students, "Law pushes away rhetoric or power by an act

Fish



of rhetoric or power." Fish is visiting Cardozo from Duke University, where he is Arts & Sciences Professor of English, Professor of Law at Duke School of Law, Associate Vice Provost, and executive director of Duke University Press. He has

published extensively, including seminal works in literary and legal theory. He is working on an article that examines the issue of church and state. Fish received his B.A. from the University of Pennsylvania and an M.A. and Ph.D.

Rudenstine Appointed Dean *ad interim*

David Rudenstine, who last spring was named Dr. Herman George and Kate Kaiser Chair in Constitutional Law, has been appointed dean *ad interim*. He will serve in the post while a committee conducts a nationwide search for a successor to Dr. Frank J. Macchiarola, who became president of his alma mater, St. Francis College in Brooklyn.

The appointment was announced by Vice President for Academic Affairs William Schwartz and Earle I. Mack, chairman of CSL's Board of Directors.

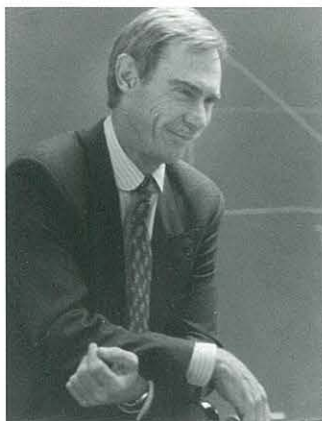
"David Rudenstine is one of the leading constitutional law scholars in the country and has proven himself to be an able administrator as well," Mack said. "We are fortunate that a person of this caliber is both willing and able to serve."

Added Schwartz, "In addition to his outstanding scholarly and academic credentials and his prior administrative experience as associate dean, David Rudenstine has impressed us with his willingness and determination to vigorously expand the programs and resources of our law school. He will not be a caretaker, but will creatively and aggressively lead the school to new levels of excellence."

Rudenstine took the job just as he was completing a media tour for his highly praised book *The Day the Presses Stopped: A History of the Pentagon Papers Case* (University of California Press, 1996). He noted, "I have set several objectives for myself and for the Law School. They reach into the realms of admissions, scholarship, and development. With the administrative staff that is in place, I am convinced that these objectives are obtainable."

from Yale University.

James E. Krier is enjoying himself in New York, "especially people watching, eating great food, and teaching the energetic students at Cardozo." Krier, who is an environmental law pioneer and Earl Warren Delano Professor of Law at the University of Michigan, is teaching two classes: Pollution Policy and Property. For the past 20 years, he has made significant contributions to theo-



Krier

ries of environmental law and has served and advised many organizations like the Environmental Protection Agency Science Advisory

Board, the Tennessee Valley Authority, and the California Attorney General's Task Force on Environmental Law. Krier is well known as the author of the textbook *Property*, first published in 1981 and revised several times. Today it is perhaps the foremost book used in law schools for first-year Property classes. His current interest is the interdisciplinary study of law and economics. Krier has taught at Harvard University,

Stanford University, University of California at Los Angeles, and was a visiting fellow at Oxford University. He holds a B.S. and J.D. from the University of Wisconsin.

Ginsburg Gives Tenzer Lecture

Jane C. Ginsburg was guest speaker at the Fourth Annual Tenzer Distinguished Lecture in Intellectual Property. Ginsburg, who is Morton L. Janklow Professor of Literary and Artistic Property Law at Columbia University School of Law, spoke on "Copyright Without Borders? Choice of Forum and Choice of Law in Cyberspace," focusing on copyright infringement actions.

According to Linda S. Chan, executive editor of *The Forum*, Ginsburg proposed the application of the single publication rule as a solution to international copyright infringement on the Internet. This rule limits the action to one jurisdiction where the recovery would include compensa-

Dean Rudenstine greets Jane Ginsburg at the Tenzer Lecture



At the highly successful and well-attended daylong conference, "The Jurisprudence of Ratings," Dean Frank J. Macchiarola greeted Howard M. Squadron, Squadron, Ellenhoff, Present & Sheinfeld; US Senator Joseph Lieberman of Connecticut, who delivered the keynote address; and Monroe Price, conference chair. The conference was sponsored by the *Cardozo Arts and Entertainment Law Journal* and the Howard M. Squadron Program for Law, Media and Society in conjunction with the Columbia Institute for Tele-Information. It addressed the issue of the controversial Communications Decency Act, which is known also as the "V-chip" legislation, and was a first effort to consider implications of rating and labeling systems in various media. Panelists included scholars, policymakers, and industry leaders representing motion pictures, records, television, videos, and the Internet.

There was almost unanimous agreement that if a ratings system was necessary self-regulation was preferable. The Motion Picture Association of America, the granddaddy of self-regulation, held strongly that their system gave power to parents in making an informed decision.

One roundtable addressed First Amendment issues in light of the legislation. Again, the majority seemed to feel that labeling is not something in which the government should become involved. Senator Lieberman, who spoke very personally, felt that the government should provide "some ground rules" and that a ratings system was a "tool to warn and empower." However, because he felt that the Communications Decency Act was rushed and not well thought out, he voted against it.

tion for damages incurred in all jurisdictions. To date, the single publication rule has not been adopted by courts, Ginsburg surmised, because of lack of personal jurisdiction over foreign defendants. However, Ginsburg opined, this would not be a problem in cyberspace. As to the question of which nation's copyright laws should be applied to claims, Ginsburg reasoned that following the Berne Convention, a presumption could be made that copyright law is universal and the defendant should have the burden to prove the contrary.

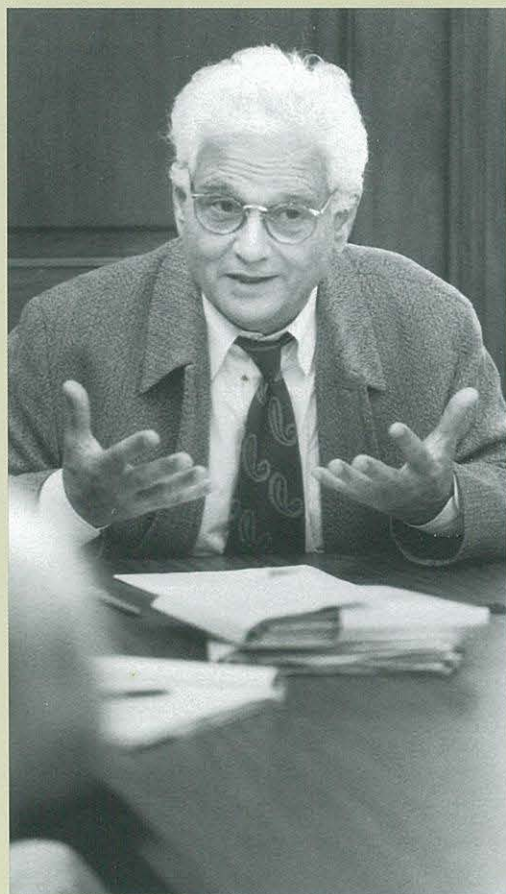
As in previous years, the speech was followed by an alumni reunion of the *Cardozo Arts & Entertainment Law Journal*, which was a co-host of the lecture.

Cardozo Receives High Marks from ABA

Last spring, Cardozo underwent the septennial rite of reaccreditation by the ABA. The many-month process, which every accredited law school must go through, consists of a self-study, a site visit by a team of people over several days, and a final report. The report speaks of Cardozo as a law school that has achieved much in not quite 20 years. It is filled with high praise for the School's "excellent and accessible" faculty, "extraordinarily dedicated" librarian, and "talented" administration. It noted especially the Center for Professional Development,



Former Mayor of New York City Edward I. Koch joined Justices Abraham Gerges and Edward Rappaport (shown above) of the Supreme Court of the State of New York, as well as Paul Curran, Chairman of the Mayor's Committee on the Judiciary; Gary S. Brown, Executive Director, Fund for Modern Courts; and Daniel Kolb, Chairman of the Judicial Committee of the Bar Association of New York, at a roundtable discussion on "Criteria for the Selection of Elected and/or Appointed Judges." The meeting was held at Cardozo last spring in cooperation with the Supreme Court Justices' Association of the City of New York.



Jacques Derrida, professor, École des Hautes Études en Sciences Sociales, Paris, and Distinguished Scholar at CSL, addressed faculty and students in October as part of The Law and Humanism speakers series, coordinated by Prof. Michel Rosenfeld. Derrida's talk was entitled, "Cosmopolitanism and the Role of the Intellectual." Also featured this fall were Justice Noelle Lenoir of the French Constitutional Council, who spoke on "Bioethics, the Body, and the Constitution: A Comparative Analysis"; and Joseph Raz, professor, Bailliol College, Oxford University, whose speech was called "Can There Be a Theory of Law?" Future speakers include CSL Visiting Professor Stanley Fish. The series is funded by the Jacob Burns Institute for Advanced Legal Studies and is co-sponsored by the New School for Social Research.

which was called "one of the most extensive, innovative, and aggressive career services and placement programs in the nation."

The report indicated, as well, areas for growth and improvement, including the need for increased space and technological enhancements, especially in the library. "These are issues of prime importance to me," emphasized Dean Rudenstine. "I am working closely with the YU administration and feel sure that we will make significant headway in both of these areas in the very near future."

Class of 1999 Begins Legal Studies

More than 250 men and women began their studies at Cardozo this fall. They



The night before orientation, the Dean and the Student Bar Association invited entering students for a cruise on the Circle Line.

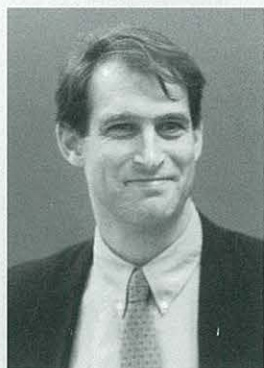
were chosen from an applicant pool that was 3% larger than last year's and have an LSAT median score of 158—one point higher than last year's class. This amazing feat by the Admissions Office comes at a time when applications to law schools are down more than 12% nationally, creating highly competitive bid-

ding for the best students.

The class of '99 is 53% men and 47% women; their average age is 23 (with an age range of 19 to 50); and 21% are from minority groups. They come from more than 110 undergraduate schools, and from as far away as Hong Kong. Some come straight out of school, having received B.A.s,

M.A.s, and Ph.D.s, but nearly 20% are returning to school from a career. The class of 1999 can boast of art gallery directors, novelists, bankers, and journalists as well as a tae kwon do instructor, a Russian interpreter, and the founder of the New York Chapter of Mothers Against Drunk Driving.

Herz Talks About Academic Affairs



Michael Herz came to Cardozo in 1988. Since then, he has to his teaching credit Administrative Law, Constitutional Law I and II, Legislation, Elements, Environmental Law, and Criminal Law, which he taught last summer for the first time. In June, he added the title of Associate Dean for Academic Affairs to his resume and continues to teach Elements

to this year's 1Ls. He took the new position at the end of Dean David Rudenstine's two-year tenure.

Dean Herz came to Cardozo from the Environmental Defense Fund and clerkships with both Associate Justice Byron R. White of the US Supreme Court and Judge Levin H. Campbell of the First Circuit. He is the author of a score of law review articles and book chapters and wrote with Eva Hanks and Steve Nemerson *Elements of Law*, the textbook used at Cardozo.

According to Dean Herz, the role of academic dean is to encourage scholarship and the intellectual life of the faculty while also supervising the educational life of the students. This means that he is deeply involved in hiring new faculty and visiting and adjunct professors, decides who will teach what courses, and makes sure the curriculum is complete and coherent. "Perhaps the most important part of my job is to make the Dean's job easier," explains Herz. "I try to resolve problems before they reach him, offer advice, and fill in for him when he's supposed to be in two places at once."

Dean Herz has agreed to a one-year term; however, he said that he would be delighted to stay on for a second year. "Two years is just about the right amount of time to learn what you're doing and have an impact on the institution, without abandoning for too long what brought me to Cardozo in the first place—the teaching and the writing." When asked what he most wanted to accomplish, he quickly noted, "I only hope to do as good a job as my predecessor."

Conference on Buffett Essays Draws Corporate Leaders to Campus

Warren Buffett, Chairman of Berkshire Hathaway Inc., was a guest and the focus of a two-day symposium on corporate law held at the end of October and sponsored by the Samuel and Ronnie Heyman Center on Corporate Governance. More than 100 students, scholars, and corporate leaders attended "The Essays of Warren Buffett: Lessons for Corporate Lawyers."

Over the past five years, a growing number of corporate law scholars have turned to the legendary investor's annual letters to Berkshire Hathaway shareholders as a source of insight and guidance.

When Professor Lawrence Cunningham organized the conference, he explains, his motivation "was to correct an inefficiency in the marketplace of ideas. These letters exist-

ed in a format that was not easily accessible. Consequently, the ideas have not been given the thorough and sustained attention they deserve."

Buffett's letters draw on principles of fundamental valuation first formulated by Benjamin Graham and David Dodd. They call for valuations of individual businesses and deny that the market always properly prices investment securities. In a related theme, he seeks to define the proper role of corporate managers, the stewards of invested capital, and the proper role of shareholders, the suppliers of capital. Buffett wrote the letters during a period when the investment and governance principles were being constantly reevaluated in academic and financial circles.

The conference clearly recognized the importance

The Samuel and Ronnie Heyman Center on Corporate Governance was endowed in the early 1980s by Samuel and Ronnie Heyman. The Center supports conferences, seminars, and research on issues related to corporate and business law and the role of corporations and corporate managers in society. It has sponsored presentations by many luminaries in the business world, including Carl C. Icahn and T. Boone Pickens, and has underwritten numerous major conferences on a wide range of subjects relating to corporate law and business generally.

Among recent Heyman Center projects was "Taking Stock: Reflections on Sixty Years of Securities Regulation," an inquiry published in the *Cardozo Law Review* marking the 60th anniversary of the federal securities laws. It featured a number of articles singled out by a panel of corporate and securities law professors as the best pieces in the field during 1994.

of Buffett's ideas for corporate law and elucidated the legal and public policy implications of his positions. Five panels featuring more than 20 of the country's leading corporate law scholars discussed corporate governance, mergers and acquisitions, corporate finance and investing, and accounting and taxation.

Buffett's letters and the scholarly commentary will be published in about a year in a special issue of the *Cardozo Law Review*. Plans call for portions of the symposium to be published in a book edited by Professor Cunningham for use in law and business schools.

CONFERENCE PARTICIPANTS

William W. Bratton
(Rutgers at Newark)

James D. Cox
(Duke)

Lawrence A. Cunningham
(Cardozo)

Deborah A. DeMott
(Duke)

Melvin A. Eisenberg
(Berkeley)

Ted J. Fiftlis
(Colorado)

Jill E. Fisch
(Fordham)

Jeffrey N. Gordon
(Columbia)

Robert W. Hamilton
(Texas)

James P. Holdcroft
(Republic New York Corporation)

Henry T.C. Hu
(Texas)

Calvin Johnson
(Texas)

Edmund W. Kitch
(Virginia)

William A. Klein
(UCLA)

Bevis Longstreth
(Debevoise & Plimpton; Columbia)

Louis Lowenstein
(Columbia)

Jonathan R. Macey
(Cornell)

Ira Millstein
(Weil, Gotshal & Manges LLP; Yale)

Lawrence E. Mitchell
(George Washington)

Charles Munger
(Berkshire Hathaway)

Dale A. Oesterle
(Colorado)

James R. Repetti
(Boston College)

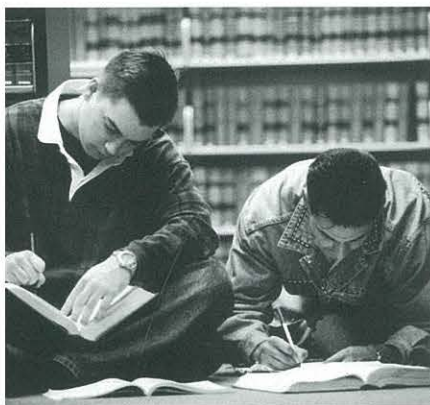
Lynn A. Stout
(Georgetown)

Elliott J. Weiss
(Arizona)

Charles M. Yablon
(Cardozo)

Library Acquires Volume 400,000

According to Lynn Wishart, Director of the Chutick Law Library, on June 30 the Library's collection exceeded 400,000 volumes and volume equivalents. "Our



collection, which has been developed over the past 20 years, is significant for academic research and provides a depth and breadth

that belies its age," notes Wishart. "Attaining this milestone further illustrates the incredible scope of the materials."

Decline of the Nation State is Topic of Discussion

"The Decline of the Nation State: Its Effect on Economic and Constitutional Law," a conference supported by the Samuel and Ronnie Heyman Center on Corporate Governance, was held at Cardozo last spring. Conceived and organized by Professor John O. McGinnis, the conference looked at such issues as the rise of global free trade and its impact on the traditional abilities of nation states to regulate economic activity.



Prof. E. Nathaniel Gates (second from left) was moderator of a panel, "South Africa: The Legal Impact of Change," held at Cardozo last spring and presented by the *Cardozo Journal of International and Comparative Law* and the Cardozo International Law Society. Guests included Penelope Andrews, Professor of Law, City University of New York; Marco Masotti (far right), attorney, Paul Weiss, Rifkind, Wharton & Garrison; and Stephen Grundlingh, Consul General, South Africa.

Ultimately the question addressed was whether vesting such governmental authority in international

organizations would transform the constitutive law of nation states, including the US. Speakers at the conference, who came from law schools around the country as well as from government offices and law firms, looked at economic and constitutional law issues in specific areas such as antitrust, trade law, and agricultural law. The conference proceedings will be published in the fall issue of *Cardozo Law Review*.

Tanenbaum Square Dedicated

Family and friends of the late Steven E. Tanenbaum '95, gathered in the third floor student lounge to dedicate a section of the room to his memory. The location is named Tanenbaum



The 1996 Cardozo Law Revue Show, "Little Crop of Lawyers," was performed for a sold-out house of students, faculty, administrators, and friends. As in years past, the stars of the show were the students, who wrote and performed the nearly two-hour piece. Amy Gitlitz and Jeff Marx of the class of '96 were producer and director respectively. Professors Burt Lipshie, Stewart Sterk, Gary Galperin '80, and the late James Lewis also participated.

Square because, during his years at Cardozo, Steven was known to be found frequently here "holding court." Frank J. Macchia-rola, former dean; Steven's parents, Linda and Jay; and Colin Markes, recipient of the 1996 Steven Eric Tanenbaum Leadership Award, honored Steven with moving eulogies.

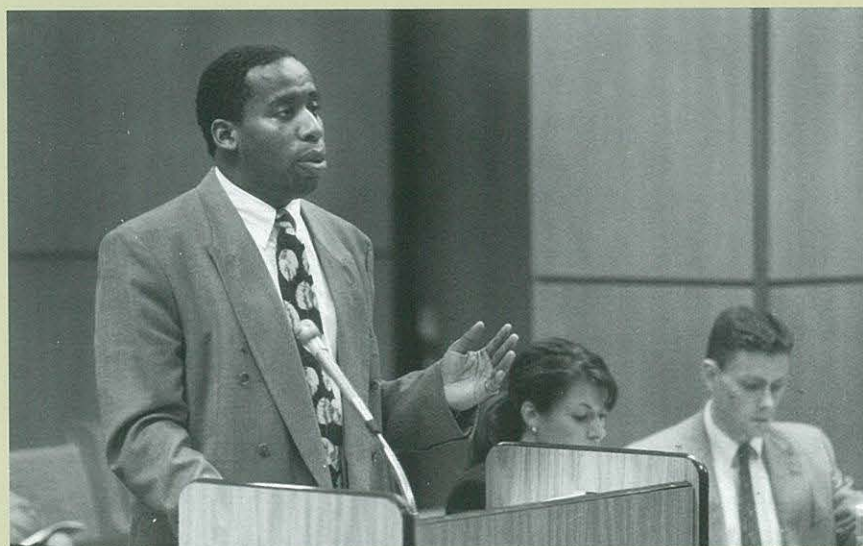
School to Expand Facilities and Upgrade Technology

It was announced at a recent CSL Board of Directors meeting that both the 9th and 11th floors of the Brookdale Center will be available for use by Cardozo. This will enable the Law School to expand its library facility, increase some of its administrative offices, and bring the clinics and student publications offices, now located on the 17th floor, into closer proximity. Plans are being made to expand the Chutick Library, which occupies the 6th, 7th, and 8th floors, into part of the 9th floor as well.

According to Dean David Rudenstine, "The University has acted swiftly to meet our current need and support us as we seek to strengthen our programs and increase our technological capabilities." Members of Cardozo's Board, Dean Rudenstine, and representatives from Cardozo and YU, are working with architects on the best design to utilize the space and anticipate MIS requirements.



The 13th Annual Entertainment and Communications Law Moot Court National Competition, presented by the Cardozo Moot Court Honor Society and BMI, a performing rights organization, featured 24 teams from 20 schools. Shown here at a BMI reception are members of the Moot Court Honor Society, faculty members, and BMI staff and others. They are (from left) Robin Harrison Kaplan '96; Elaine Cheng '96; Dean Ellen Cherrick; Samantha Leventhal '96; Theodora Zavin, BMI Senior Vice President and Special Counsel; Prof. Marci Hamilton; Judge Stephen Reinhardt, US Court of Appeals for the Ninth Circuit; Judy Safer, BMI; Shira Mermelstein '97; and Miriam Nunberg '96.



Three women students won the 17th annual Paulsen Moot Court Competition held in September. The competition this year dealt with the issue of physician-assisted suicide and consisted of brief-writing and oral argument rounds. Judges for the final round were US District Judge Edward R. Korman, New York County Supreme Court Judge Stephen G. Crane, and attorney Cameron Clark, who wrote an amicus brief for a case involving New York's prohibition against assisted suicide. Winners were Janet Lipinski '98, named best oralist and runner-up for best brief; Dawn Zuroff '97, named for best brief; and Neeru Chhabra '97, runner-up in the finals of the oral round. Robert L. Jones '98, shown here, was a runner-up in the final oral round.

FACULTY *briefs*

Four Professors Join Faculty

This fall, four new professors joined the Cardozo faculty; John Fitzgerald Duffy, Kyron James Huigens, Melanie B. Leslie, and Scott J. Shapiro have accepted three-year appointments as assistant professors of law. Dean Rudenstine notes, "These four are the new generation of scholars. They represent diverse intellectual directions and come to us with significant and socially relevant professional experience. In the tradition of Cardozo's founding dean, Monrad Paulsen, we have hired outstanding individuals committed to writing and teaching."

John Duffy comes to Cardozo from government and private practice. He was an attorney-advisor in the Office of Legal Counsel, US Department of Justice from 1990–1992 and an associate at Covington & Burling from 1993–1996. Duffy clerked for both Justice Antonin Scalia of the US Supreme Court and Judge Stephen F. Williams of the US Court of Appeals for the District of Columbia. This year, he is teaching



Duffy

Torts and Administrative Law and pursuing his research on the relationships between tort, administrative, and criminal law. He is also doing research and writing on communications law, an area of expertise he developed in private practice. He holds an A.B. in physics *cum laude* from Harvard College and a J.D. with honors from the University of Chicago Law School.

Kyron Huigens is teaching Criminal Law and Criminal Procedure while continuing to represent several defendants in challenging the constitutionality of Washington State's Initiative 593 (Three Strikes and You're Out), legislation that mandates life sentences for offenders with three convictions for violent crimes. He has published several articles on criminal law and



Huigens

recently has focused his research on creating a general theory of criminal law framed by Aristotelian ethics. As a deputy prosecuting attorney in Washington State, he prosecuted cases involving adult sex offenses, domestic assaults, child abuse and child sexual abuse; as well as juvenile homicide, assault, robbery, and drug offenses. In private practice, he specialized in criminal defense and family law. His interest in criminal law began during

his clerkship for Justice Fred H. Dore of Washington State Supreme Court. Prior to that, he was an associate at Culp, Dwyer, Guterson and Grader in Seattle. Huigens holds an A.B. *summa cum laude* from Washington University and a J.D. from Cornell Law School.

Melanie Leslie, a 1991 *magna cum laude* graduate of Cardozo, and a visiting professor here last year, teaches Property, Trusts & Estates Law, and Evidence. Before working as an associate at the NJ firm of McCarter & English from 1992–1995, she clerked for Justice Gary S. Stein of the Supreme Court of NJ. She was a Jacob Burns Scholar and the 1991 recipient of the Jacob Burns Medal for outstanding contribution to a law journal. Leslie, who writes on trusts and estates,

Leslie



Shapiro



has just published an article on testamentary freedom. She was executive editor of *Cardozo Law Review* and is the faculty advisor to the journal. She holds a B.A. from the University of Oregon, where she majored in theater.

Last May, **Scott Shapiro** received his Ph.D. in philosophy from Columbia University, from which he also received an M.A. and a B.A. He holds a J.D. from Yale University and spent a year at Oxford as a visiting academic. Shapiro's interest in law began during his sophomore year, when he clerked for US District Court Judge Pierre N. Leval. Since 1995, Shapiro has been a volunteer attorney at the Center for Battered Women's Legal Services in New York. His background in philosophy has influenced his current theoretical research into the rationality of law. Shapiro teaches Family Law and Jurisprudence.

PROFESSIONAL HONORS

John Beckerman, who returned to Cardozo this fall after visiting Rutgers Law School for a year, authored with Elliott J. Weiss "Let the Money Do the Monitoring: How Institutional Investors Can Reduce Agency Costs in Securities Class Actions," which was published in the *Yale Law Journal*. This article was selected by the *Corporate Practice Commentator* as among the best corporate and securities articles of 1995. Congress based the "lead plaintiff"

provisions of the Private Securities Litigation Reform Act of 1995 on the article's proposals and cited it twice in the Conference Committee Report. The Act amends the Securities Act of 1933 and the Securities Exchange Act of 1934, the two main federal securities laws.

Paris Baldacci was named chair of the Housing Court Committee of the Association of the Bar of the City of New York, which makes him a member of the Judiciary Committee as well. This is a three-year appointment. He is also a member of the Board of Directors of Brooklyn Legal Services, Corporation A, serving the Williamsburg and East Brooklyn neighborhoods. He is a member of that board's executive committee and chair of its personnel committee. His article, "An Introduction to 'Mandatory HIV Screening of Newborns: A Child's Welfare in Conflict with its Mother's Constitutional Rights?'—False Dichotomies Make Bad Law" was published in the recent issue of *Cardozo Women's Law Journal*.

E. Nathaniel Gates is a fellow this semester at Harvard University's W.E.B. DuBois Institute for African American Research. He is working there on his forthcoming book, *The Maginot Line of "Race"*. In November, he was invited by the New York County Lawyers' Association to give a paper at Fordham Law School, "Affirmative Action: Mend

It, Don't End It." His paper "Justice Stillborn: Of Cherokees and Fugitive Slaves; The Normative Avoidances of an Unprincipled Judiciary" given at the Association of the Bar of the City of New York and broadcast on C-Span will be published in a forthcoming issue of *Cardozo Law Review*, which just published his article, "Estranged Fruit: The Reconstruction Amendments, Moral Slavery, and the Rearticulation of 'Lesbian and Gay' Identity."

Barry Scheck received the Robert Heeny Award for Outstanding Achievement in Criminal Defense from

the National Association of Criminal Defense Lawyers. This is the highest award given in the field. He was a featured speaker this summer at a conference of the International Association for Human Identification held in Japan.

SPEECHES - PANELS - PAPERS

Lester Brickman continues to appear in print and at meetings on the topic of tort reform. He spoke this summer at the annual meeting of the American Legislative Exchange Commission (see p. 28) and was invited by *Forbes* Magazine to be on a panel with Judge Robert Bork and John M. Olin of the American

Wishart Wins Top Librarian Award

Lynn Wishart, who has been the law librarian at Cardozo for 13 years, received the 1996 West Excellence in Academic Law Librarianship Award. In making the announcement at the annual meeting of the American Association of Law Libraries (AALL), Brian Hall, President, West Information Publishing Group said that Wishart has "demonstrated a keen determination to lead her law school in the use and application of information technology. Her efforts have resulted in excellent library collections and services at the Benjamin N. Cardozo School of Law."

More than 5,000 law librarians are members of the AALL. Professor Wishart is the fourth recipient of the annual award, which is the highest honor awarded to law librarians.

The selection committee, comprised of other law librarians and professors of law, stated that Wishart's "imagination, foresight, and energy exemplify traits honored in the Award," and "the admiration of the school's students and alumni is reflected by their extraordinary support for her nomination."



Enterprise Institute at a meeting of more than 150 corporate leaders of the nation's largest public and private companies.

Malvina Halberstam presented papers this summer at the American Academics for Israel's Future Conference held in New York; and at the International Conference on the Sources of Contemporary Law, organized by the Ministry of Justice in Israel. She served for the sixth time on the faculty of the National Security Law Institute organized by the University of Virginia Center for National Security Law. There she lectured on international law applicable to terrorism.

Arthur Jacobson has written several articles recently, including "Taking Respon-

sibility: Law's Relation to Justice and D'Amato's Deconstructive Practice" in the *Northwestern Law Review*; and "Static and Dynamic Dimensions of Right" in *Western Rights? Post-Communist Application*, edited by Andras Sajo.

Lela Love spoke on "The Role of Gender in Alternative Dispute Resolution" at the Washington College of Law of American University. She conducted training programs in her specialty for the Michigan Supreme Court and at the annual conference of the Society of Professionals in Dispute Resolution. She served as mediator for a mock mediation of a product liability case in a program sponsored by the Association of the Bar of the City of New York, which aired on Court TV in September.



Noted author Calvin Trillin (right) was among the many well-wishers at the reception marking the publication of Monroe Price's book, *Television, The Public Sphere, and National Identity*.

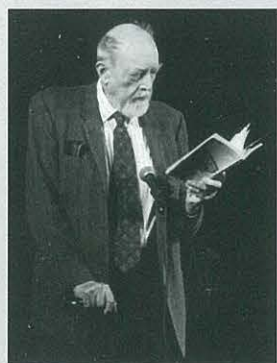
Marci Hamilton testified in September at Congressional hearings on legislative delegation. She addressed the Committee on the Judiciary, Subcommittee on Commercial and Administrative Law. Later that month she spoke on copyright and religion at the annual meeting of the American Association of

Comparative Law. During the summer she was a fellow at the Center for Theological Inquiry in Princeton; a visiting professor at St. Mary's University School of Law Summer Institute in Innsbruck, Austria; and still had time to speak at the annual meetings of the Copyright Society of America and the American Associ-

Jim Lewis Dies at 84

Professor James B. Lewis, founder and director of Cardozo's Tax Clinic, as well as a prominent tax lawyer and author, died in May at the age of 84. Upon the announcement of his retirement earlier that month, Dean Frank J. Macchiarola noted, "Jim Lewis has brought great intellect, experience, and humor to his work at Cardozo. He has been an important member of the faculty and a wonderful colleague. We will miss his presence."

The faculty had voted to give the Monrad Paulsen Award to Professor Lewis for exemplary service to legal education. His widow, Irene Lewis, and their twin sons, attended graduation in June to accept the award. A service to commemorate his life and legacy was held at Cardozo on November 12.



Professor Lewis had an extraordinary legal career as a government official, practitioner, and leader of the tax bar. He was a member of the international law firm of Paul, Weiss, Rifkind, Wharton & Garrison from 1955 to 1982, and was counsel to the firm at the time of his death.

Early in his career, Professor Lewis held several legal positions with the US Treasury Department and was also special assistant to the Chief Counsel of the Internal Revenue Service. As a practitioner, he argued or participated in the briefs relating to a number of important tax cases decided by the Supreme Court. He was a former chairman of the tax section of the American Bar Association and a member of the American Law Institute, the New York State Bar Association, New York County Lawyer's Association, the Association of the Bar of the City of New York, and the District of Columbia Bar Association.

Professor Lewis was born in Lenox, Tennessee. He grew up in Washington State, where he attended college, and earned his law degree at Catholic University. He served in the US Navy during World War II.

ation of Law Librarians.

Michael Rosenfeld spoke at several conferences in Europe. In May, he was at the Institute of Human Rights of the Carlos III University in Madrid, where his subject was "Minority Rights and the Constitution: A Comparative Analysis." At the Institute for the Philosophy and Sociology of Law of the University of Genoa Law School, he spoke about his forthcoming book, *Just Interpretations: Law Between Ethics and Politics*. Then, in June, he presented a paper at the International Conference on Church and State, organized by Central European University in Budapest; and was a panelist at an international conference on Constitutional Justice held at the University of Paris.

Richard Weisberg addressed the Cornell Law Faculty on his forthcoming book, *Vichy Law and the Holocaust in France* (NYU Press and Gordon & Breach), which is reviewed and serialized in the fall issue of *Partisan Review*. In November, he will be a resident fellow at the William and Mary Law School, where he will participate in classes, give a paper on Vichy, and advise faculty about interdisciplinary approaches to the law.

Ellen Yaroshesky was a group leader at the AALS Conference on Clinical Education in Miami last May. It was the largest conference ever sponsored by the AALS.



Prof. William Volkhausen (center), who taught Banking Law at Cardozo for more than 15 years, was honored by the faculty and administration upon his retirement last spring. Prof. Paul Shupack presented him with a humorous resolution naming Volkhausen "Adjunct Professor Emeritus." Volkhausen's wife, Grace, is shown holding the resolution.



Faculty, friends, and family attended the party for David Rudenstine's book, *The Day the Presses Stopped: A History of the Pentagon Papers Case*, which received rave reviews in papers around the country as well as from *The London Times* and *The Jerusalem Post*. *Publisher's Weekly* named it one of the 25 best books of the year in the non-fiction category and the University of California Press has nominated it for a Pulitzer Prize. Dean Rudenstine signed books for many, including Prof. Norman Dorsen of New York University School of Law.



An Interview with Marci Hamilton

Marci Hamilton has been a professor at Cardozo for seven years. Her wide-ranging activities, which incorporate expertise in both constitutional law and intellectual property, make her a visible and respected academic in both fields. She lectures widely, is a prolific author, and is now preparing a case on religious freedom that has landed in the Supreme Court. For the past two years, she has been director of Cardozo's Intellectual Property Program, one of the most distinctive programs in the country. She met with Cardozo Life editor, Susan Davis, to discuss intellectual property, the Internet, and contemporary legal issues.

SUSAN DAVIS: Will you define intellectual property law?

MARCI HAMILTON: Traditionally it has been considered to be copyright, trademark, and patent law. In this new era, it's expanding daily into entertainment law, computer software law, the Internet, cyberspace law. Therefore, it's much broader than those three individual fields.

DAVIS: When did the Intellectual Property Program begin at Cardozo?

HAMILTON: This is a program that owes its origin to Monroe Price, who started the arts and entertainment law program here a number of years ago. Soon after I came to Cardozo in 1990, I was asked to advise the *Arts and Entertainment Law Journal* and the BMI Moot Court

competition as well as review the many student notes written in the copyright field. Then, because of my interest in copyright law, Rosalind Lichter, one of our adjunct professors, suggested that we begin an Intellectual Property Law externship. We always had and continue to host frequent panels and speakers on intellectual property issues.

About two years ago, it occurred to me that all of these disparate programs deserved to be brought under one umbrella. With strong support from Dean Frank Macchiarola, we formalized the program. Since then several things have been accomplished. We have added an annual distinguished lecture series and an externship program. The *esprit de corps* among the students in the field has increased. It's made a point to our faculty about how important the field is for the future. We've acquired professors of the caliber of Bill Patry, who's first-rate in the copyright world.

And the nicest thing is that it makes real what's always been here and emphasizes to the legal and academic community that we are very serious about the area.

DAVIS: How do you think our program is distinct from other law schools, both nationally and, maybe more specifically, here in New York?

HAMILTON: I don't know of any other school that offers the type of program that we do; it is quite distinctive. We

have the leading arts and entertainment journal in the country, with a circulation that is the largest as well. With 16 courses at last count, our intellectual property course offerings are among the most diverse in the country. The BMI Moot Court competition is totally unique. Teams from more than 20 schools come from all over the country and do first-rate work.

In addition, the writing that's being done by many members of the faculty like Monroe, Bill, Stewart Sterk, and myself is cutting edge. We are attending lots of conferences and spreading the word about Cardozo's intellectual property strength.

DAVIS: Speaking of the AELJ, which is celebrating its 15th anniversary, what makes it the leading journal in the field?

HAMILTON: None of the specialty law journals in the country have the circulation of a *Vanity Fair*, but AELJ does have the largest circulation for its field; and I see it gaining more and more credibility with both practitioners and academics. It has put itself on the map by publishing superb conferences and panel discussions. Therefore we're getting better and better submissions. And as the entire field grows in importance—it's becoming the single most important aspect of our country's GNP—this journal is going to become more central to both policymaking in Washington and international decisionmaking.

DAVIS: Cardozo has been known for years for its art and entertainment law program. As a result, do you think that the students that enroll here come with special backgrounds in the arts, especially in comparison to other law schools?

HAMILTON: For some reason, perhaps because we're in New York City, we seem to have more students who have been in the arts, the entertainment industry, or the sports industry, than any other body of law students in the country.

I speak almost daily with a student who was a director, a producer, a filmmaker, or an author. We have lots of songwriters and computer software designers. I have been truly impressed by the number of students who have had serious experience in the arts and then come

to Cardozo to capitalize on their experience.

DAVIS: And for those students who come to Cardozo and specialize in intellectual property, what kind of career can they look forward to, or where might they find themselves working upon graduation?

HAMILTON: There are many places. The most prevalent job in a law firm is going to be in trademark law. No matter what business, there is likely to be a trademark issue: you can find copyright work in the recording, publishing, and computer software industries.

Patent law is a more specialized field and is only for those who have some advanced scientific understanding. Patent jobs can be found in law firms and the legal departments of high-tech corporations.

DAVIS: Where might a student work if he or she participates in our new Intellectual Property Externship?

HAMILTON: The placement office has secured some wonderful positions that provide hands-on experience in copyright, trademark, and patent law at leading firms in the field, or with solo practitioners who do nothing but copyright or trademark law.

Students have also been placed in the recording industry, where they have worked for leading record labels. And a significant number have been able to turn these internships into full-time jobs.

DAVIS: You began teaching a course, Cyberspace and the First Amendment, last spring. Can you give us some idea of the topics that are raised in this seminar?

HAMILTON: We focused on issues involving the liability of bulletin board services, the possibility of online direct democracy, and the question of who should be responsible for policing copyright in cyberspace: the servers, the copyright owners, the publishing industry, or the government. This issue is probably the most important, because it will determine how the money is shared and, therefore, who has the power.

DAVIS: For many people there is a fear that their computer will ultimately be used to spy on their activities and personal life.

HAMILTON: There is that capacity.

I speak almost daily
with a student who was a
director,
a producer, a filmmaker, or an author.



There's an interesting experiment taking place in California where people are living in a house with computers embedded in the walls. The occupants communicate with each other and with the Internet through the computer, which they access through touch pads on the walls. If someone has a question about a recipe and they're in the kitchen, they immediately access the Internet. It is a completely computer-friendly environment and the question is whether that will be the world that we will live in. It's hard to know.

DAVIS: One hot topic these days seems to be the discussion of free speech and the Internet. Do you think we're any closer to some sort of resolution?

HAMILTON: We don't even know what the Internet is yet, so it is far too soon to tell what it promises. We don't know if it's a cable environment, a broadcast environment, or a satellite environment. We don't know if it's going to be dictated by a group of private servers or if each of us is going to become an individual server.

I'm sure you've heard Ross Perot's claim that the Internet means we now can have mass direct democracy, massive town hall meetings. That prediction is much too premature. There's no indication that we have that kind of capacity, or that enough people will be able to afford this new era.

In fact, one of the most difficult political questions right now is whether governments should intervene in the market to provide universal access to online services. Then we'll know how many people will be affected and what kind of free speech issues are at stake.

DAVIS: Prior to your coming to Cardozo you clerked for Justice Sandra Day O'Connor. What was she like?

HAMILTON: I clerked for Justice O'Connor in the 1989 October term. She's the strongest, most fascinating woman that I have ever had the honor of working for or knowing. And I have a sincere fondness for her and the deepest respect.

Several years ago, she was with the Cardozo summer program in Budapest, where I had the honor of observing her interactions with American and Eastern Euro-

pean students as well as members of the Hungarian high court. She has a gift for making people feel at home with her, encouraging people to talk about interesting and important constitutional issues, and providing cogent advice without being overbearing. She is an accomplished diplomat to whom this country owes a debt of gratitude.

DAVIS: Do you feel that she's doing a good job on the Supreme Court?

HAMILTON: What I'm finding most interesting at this time is her increasing discussion of the importance of legal rules that are drafted for particular contexts. She's constantly being criticized by, for instance, Justice Scalia, for not hewing to bright-line rules. She's developing a competing jurisprudence in which she argues, I think very persuasively, that constitutional law was not intended to have bright-line rules that forsake justice and mercy in most cases. Rather, context-dependent rules more effectively serve the ends of freedom and of justice and mercy.

This issue figures into the book that I'm working on called *The Reformation Constitution*, which studies the influence in the 18th century of the Presbyterian Church on the formation of the Constitution. I'm focusing on the meaning of representation and the meaning of liberty in both the Presbyterian Church and the Constitution. They are very similar.

DAVIS: Do you have a timetable for the completion of the book?

HAMILTON: My hope is to have it done in about a year and a half.

DAVIS: You are both a constitutional scholar and an expert in the area of intellectual property. Your role as a professor is enhanced all the time by the kind of scholarship that you're engaged in, the testifying that you are doing, and by your practice as an attorney.

Can you tell me about some of the things on which you are working that you see as most interesting or critical to your teaching?

HAMILTON: I testified to Congress in September on a separation of powers issue. The invitation came as the result of an article I published in the *New York University*

We don't even know what the Internet is yet, so it is far too soon to tell what it promises.

Law Review on the constitutional role of the legislator. My role at the hearing was to explain why the Constitution requires representatives to take back responsibility for making the law. At the present time, the constitutionally mandated balance of power between the legislative and executive branches is severely skewed, as a result of congressional delegation of its appointed lawmaking responsibility to unaccountable executive branch agencies.

I've also been working on a First Amendment case, which was granted certiorari by the US Supreme Court in October. I am lead counsel for the city of Boerne, Texas, in a case challenging the constitutionality of the Religious Freedom Restoration Act. I'm expecting to argue the case in February.

DAVIS: What are the facts of the case?

HAMILTON: The city of Boerne has asked the Catholic Church to abide by historical preservation rules as it renovates its church, which is in a beautiful historic district. The two sides were unable to come to an agreement and the Catholic Church filed suit, claiming among other things, that the city was violating its right to the free exercise of religion as secured by the Religious Freedom Restoration Act (RFRA).

The District Court judge ruled that RFRA was beyond Congress's power and therefore unconstitutional. The Fifth Circuit then reviewed that decision on expedited appeal, holding that it is constitutional. And now we're appealing that decision.

Doug Laycock from the University of Texas, who is perhaps the leading law and religion scholar in the country, is representing the Catholic Church. He was instrumental in drafting RFRA and composing the legislative history. In a recently published editorial in *The Wall Street Journal*, I chronicled the unreasonable burdens RFRA has placed on state and local governments as well as the taxpayers' pocketbook.

Coming up are a variety of conferences, including one at the University of Chicago, where I will talk about direct democracy, specifically on what's wrong with it as a constitutional matter.

DAVIS: And direct democracy is—

HAMILTON: Direct democracy is the notion that the people, in town-meeting style, come together and make decisions

that will govern the polity. In my writing, I explain why we do not have a system of direct democracy. The framers of the Constitution definitively rejected self-rule, or direct democracy, as a model for government.

Although we have a system of widespread power to vote and to elect, we do not have a system where the people make the decisions about what will be done at the national level. It's our representatives who must do that.

In the area of intellectual property, I will deliver a paper at the annual meeting of the American Association of Comparative Law entitled, "Why the United States Copyright System is the Leading Paradigm for Copyright Law in the Information Age."

DAVIS: What is your vision for the Intellectual Property Program at Cardozo?

HAMILTON: First, I hope that we increase the number of students benefitting from the externship program. There are significant prerequisites for participation, a fact that has intimidated a few students. But practitioners who have employed our students have been very grateful. So I hope that we can persuade more students to do the hard work and to be a part of the program.

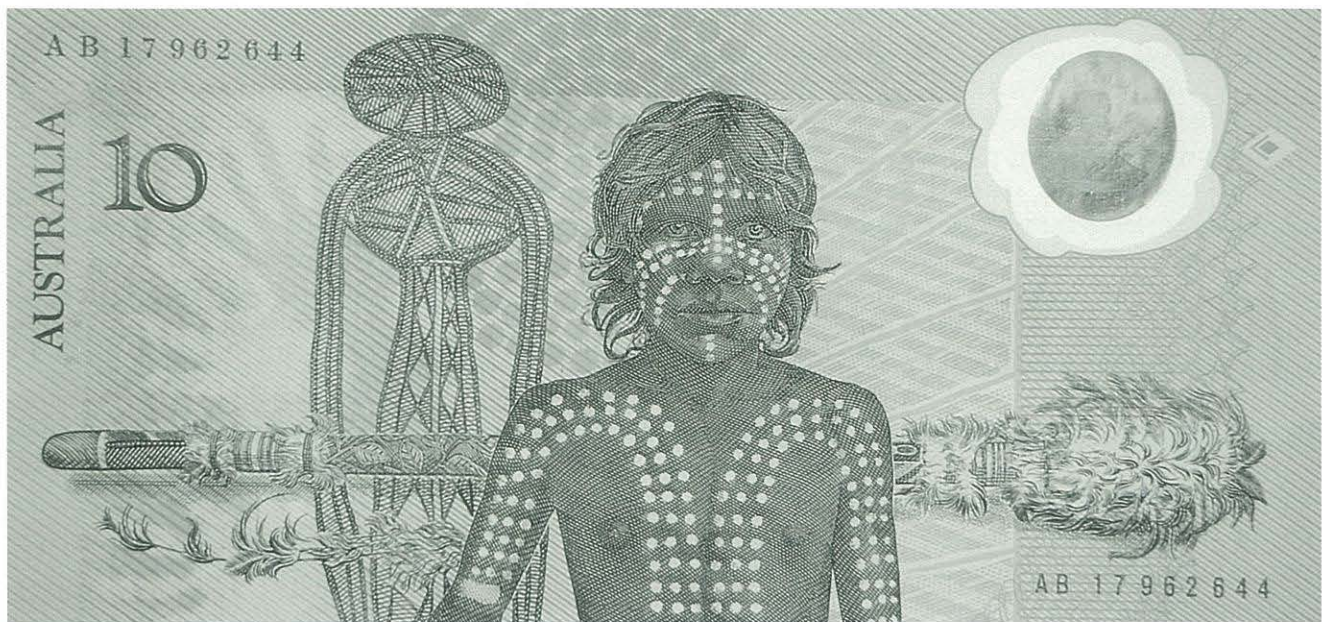
Second, I'd like to see us expand and strengthen our international intellectual property offerings. Intellectual property is no longer just a domestic issue. It has clearly become an international problem with an international set of concerns.

DAVIS: As you know, Cardozo is beginning its 20th anniversary celebration. What kind of birthday wish might you make for it?

HAMILTON: I think it's time for Cardozo to realize that it has made its mark. The scholarship that's been produced by the faculty over the 20 years has been absolutely first-rate. Our students are interesting and challenging and those at the top of their class are as good as those students at the top of any other law school's class.

Now I would like Cardozo to expand its mission to engage in wide-ranging interdisciplinary approaches to the law. We've done a wonderful job so far and we can certainly do more, but not without serious investment in this institution.

And so, I guess, the greatest birthday gift for Cardozo would be more outside donor support. It seriously needs it and truly deserves it. ■



C U S T O M , C U R R E N C Y , A N D C O P Y R I G H T :

Aboriginal Art and the \$10 Note

Monroe E. Price
Joseph and Sadie Danciger
Professor of Law
 and **Dr. Aimée Brown Price**

In 1988, the Federal Reserve Bank of Australia issued a special \$10 bank note as part of the national celebration commemorating the bicentennial of European settlement. Printed in several colors and finely engraved, the note is quite beautiful. On one side there is a ship of the First Fleet, its sails billowing, stationed in one of the many bays associated with Sydney, an idyllic landscape in the background. Ranged across the sky is a parade of figures important in the two centuries since settlement: a colonial couple, a convict woman, a bushranger and a sheepshearer, a Depression swaggie, and a construction worker. On the other side of the bank note are images representing Aboriginal Australia: in the forefront, a ceremonially painted Aboriginal youth; to the left, a so-called x-ray figure type and stencilled hands from rock painting; and, finally, a Morning Star Pole, a hallowed religious object of certain clans.

This little essay is about the way in which our lives and our scholarship intersected with this extraordinary piece of currency and the law relating to the reproduction of Aboriginal imagery. During the summer and part of the fall of 1996 (winter and spring in the Antipodes), we were invited to teach at the University of Sydney, and to lecture at the Faculty of Law and the Power Institute (the art history department there). In addition—thanks, in large part to Professor Richard Weisberg—we were invited to give a keynote address at the 1996 Australian Law and Literature Conference in Darwin at the “Top End” of Australia.

In searching for an appropriate topic—one that brought together our somewhat disparate specialties of law and art—we stumbled across a recent Australian case called *Yumbulul v. Federal Reserve Bank*, involving the commemorative note described above. Here are the facts, or at least some of them, in a nutshell. Terry Yumbulul was born on Wessel Island on the coast of Arnhem Land, in Australia’s far North. He is an artist, by his own and Western reckoning. Besides, he had authority within his own clan to make certain ceremonial objects and paint certain sacred designs. This included the right to make Morning Star Poles, objects used in the spiritual ritual of burial ceremonies and of crucial importance, according to some retellings, in guiding the soul of the deceased to the land of the dead, uniting those who have died with their spiritual ancestors.

In the mid-1980s, Yumbulul was commissioned by a dealer to make five such poles to be sold to various museums, including the Australian Museum in Sydney. He was authorized by his clan to make Morning Star Pole reproductions for these educational purposes. While there are some variations among these poles, they seem, generally, to be about five feet long, are wrapped with strings at certain junctures, and are colored with ochre and other earth tones. Ordinarily, because of their importance to the clan, the authentic and ceremonial Morning Star Poles—not the museum replicas—are kept from view, even from view by Aboriginal people, in woven dilly bags.

Shortly after Yumbulul’s poles were put on exhibition in the museums, Anthony Wallis, then director of the Aboriginal Artists Agency, a society that acquires exclusive licenses from the artists and then provides sub-licenses to commercial users, was approached by the Reserve Bank of Australia to assist in finding suitable Aboriginal artwork for use in the issuance of the commemorative \$10 note. After selecting various well-known artists, the Bank made it known that it specifically wanted to use a representation of the Morning Star Pole in the Australian Museum, in part because its intri-

cacy would contribute to the note’s security from counterfeit. The Aboriginal Artists Agency, apparently without telling Yumbulul how, specifically, the image would be used, sought his signature to a blanket license for all his work and for all purposes.

Yumbulul signed; and ultimately, the Reserve Note was published incorporating a representation of the Morning Star Pole sapped of color, shown horizontally, its size and scale unclear behind an Aboriginal figure. There was other Aboriginal imagery on the same side of the bank note and the First Fleet ships and the parade of Australian types mentioned above on the other.

According to the case, Yumbulul’s clan became extremely upset that the sacred object was so used. Authorizing a reproduction of the Morning Star Pole for museum use in five institutions around Australia was one thing, but its mass use, on currency, was a profanation. Control over imagery, as we were to learn, was central to Aboriginal belief and life, and poor Yumbulul, who was responsible to the clan to protect the imagery he was given permission to make only for a specific purpose, would have been the object of severe scorn and punishing ostracism. To cleanse and reinstate himself the artist sued the bank, alleging that he did not know what the license was for and had been fraudulently induced to sign the agreement.

The court’s decision—namely that the license was valid—was fascinating as a text and as an insight into the way the dominant society perceives Aboriginal ways and Aboriginal art. The court served as an organ called upon to articulate legal views and harmonize, if possible, the two. For two New Yorkers about to spend several months in Australia, analyzing the case and learning about the subject was too attractive an opportunity to forego. We were unwilling to admit the obvious, namely that we knew too little (to put it mildly) either about Australian law or Aboriginal art.

At the outset, we wanted to raise a few questions, prompted by a 1993 book by Francis Haskell, *History and its Images: Art and the Interpretation of the Past*, as to whether art—painting, sculpture, and even the portraits on coins or other currency—can ever properly and confidently be used as evidence of social movements or data concerning moments of history, and, to render the point somewhat narrow and parochial, evidence of law and the meaning of law. Can one peer into a painting, such as that of a slave auction, and gain greater insight than one can from a text of law or a judicial decision about the legal aspects of a given institution or set of practices? Can one gain insights into perceptions of justice from looking at images of, say, an allegorical figure of Justice with blindfold and scales, or the court of Solomon with weeping mothers contending for an innocent babe?

But we soon realized that the *Yumbulul* opinion provided an opportunity for a different inquiry: an examination of an unusual judicial essay on social attitudes towards Aboriginal art and a primer on the conjunction of Aboriginal art and commerce. And there might be yet another approach, a high-wire inquiry particularly suitable for a law and literature get-together. Was this judicial opinion about an image like a painting?

This requires a bit of explanation. A hobby of the law and literature movement is to try to determine how judges are different from or the same as non-robed authors and how judicial texts are the same as or different from novels or other literary forms. Professor Weisberg, following Justice Cardozo, is one of the prime scholars pushing judges to think, from time to time, like authors and to take the literary risks and reap the literary rewards that result from a more authorial practice. We wanted to extend this conceit to the judge, on the one hand, and the maker of graven images on the other.

The opportunity presented itself because of the subject matter of the opinion and the subject matter of the image that was the cause of the litigation. Remember that the Reserve Bank was issuing this note in 1988 to commemorate the first European settlement of Australia in 1788. As a result, the bank note, we thought, was part of a history of graphic arts, paintings, and murals that deal with the confrontation between settler and Aboriginal cultures. An example is Benjamin West's *Penn's Treaty with the Indians* at the Pennsylvania Academy of the Fine Arts in Philadelphia.

As we thought more about the judicial opinion, we began to see it—like the note itself—as a recapitulation of these paintings commemorating settlement. However, there were differences between us on this question, to be sure, with the law professor insisting on reading the opinion as if it were a painting, and the art historian wanting to leave everything in its proper category.

The main argument for placing the judge in the tradition of artists making commemorations of settlements (much like the paintings showing American Indians meeting peacefully with colonists from England) had to do with how the judge develops the characters, how

much drama there is, and the design and arrangement of the figures in the opinion. The opinion reads like a commemoration painting, in which the European settlers—the Reserve Bank, the art consultants, and the lawyers—are all on one side, and the Aboriginals—Yumbulul himself, the clan of elders, and the Morning Star Pole—are all on the other. In the middle is the license agreement (between Yumbulul and the Aboriginal Artists Agency), much as the treaty is located in the middle of commemoration paintings portraying friendly colonists and the indigenous people with whom they deal.

This allowed us to see the judge as, consciously or unconsciously, incorporating or referring to grand themes. We saw, in the opinion, a certain kind of iconography, a way of sketching portraits and creating an ensemble.

There's an important similarity, too, between the license agreement in *Yumbulul* and the treaties depicted in the traditional commemoration paintings. Treaties that were characterized as instruments of accord were

almost always, as well, instruments of control. They represented the settler's or colonist's view of law; and the document itself, as a determinant of a relationship, represented the triumph of the new law over ancient custom. Here, too, the contract—the license agreement between the Agency and Yumbulul—turns out to have more powerful significance than the Morning Star Pole or the customary expectations of the clan.

Is Aboriginal art “art”?

Another aspect of our work on this subject that extended throughout our Sydney stay and beyond was trying, somewhat unsuccessfully, to come to grips with an important question: If judges, like the judge in *Yumbulul*, classify the Morning Star Pole as an art object, does such a classification affect judicial decisions concerning ownership and control? Certain Aboriginal objects made from wooden poles, or paintings that were traditionally made on bark, but now often on canvas and paper, were clearly art, fascinating and glorious, executed as a commodity for secular exhibition, collection, and sale with knowl-



Penn's Treaty with the Indians, 1771-1772, Benjamin West

COURTESY OF THE MUSEUM OF AMERICAN ART OF THE PENNSYLVANIA ACADEMY OF THE FINE ARTS, PHILADELPHIA.
GIFT OF MRS. SARAH HARRISON (THE JOSEPH HARRISON, JR., COLLECTION)

edge of the ways of Western capitalistic commodity culture. Indeed, much of what is being created is "art" in the sense that it is conceptualized in Western societies and in American law. Aboriginal work has become a highly marketable commodity, which puts it squarely in the context of commerce and law. An article in the *Sydney Morning Herald* on September 10, 1996—part of a review of a new book called *Songlines and Dreamings* by Patrick Corbally—quoted the author as believing that Aboriginal art "might be considered the Impressionist movement of the late 20th century, and could have a similar lasting impact in terms of artistic respect, if not price."

But just as Aboriginal art was being treated increasingly as a commodity, it is also clear that aspects of it are to be treated differently than the way in which the products of professional artists in the United States and elsewhere are treated. Just a few days before the review of Corbally's book, there was an article in the newspaper *The Australian* about the country's most famous Aboriginal woman artist, who had recently died. In keeping with the Aboriginal custom that the name of a deceased person is not spoken or written during a specified period, the article refrained from printing the name by which she was known. The newspaper recounted, as well, the "added complication" that as a result of Aboriginal tradition, her images might not be mountable in public for a substantial period of months. Some images and objects are religious in nature, sacred, somehow beyond the confines of art; and are to be protected in ways other than the regime of copyright.

These works were to be considered not just things to be mounted on walls, not just things passing through a customhouse and traded by dealers, but, rather, objects of significance hard to comprehend in terms of art as commodity or even art for typical delectation. A few months before our trip to Darwin, we had visited the Newark (NJ) Museum of Art, which has one of the finest

collections of Tibetan art and artifacts. One altar in the exhibition serves as a real altar that is visited by Tibetans who view it as a holy place. To us, there was something jarring, if intriguingly so, about this. There are many once sacred objects in museums, but they are not often there exercising the power that comes from their sacredness. Christian icons, and those of other religions, fill museums, but they are rarely objects of prayer. They are there for their aesthetic value, or as ethnological or historical representations.

In *Yumbulul*, it was important for the clan and the artist (if that's the right word for Yumbulul) to indicate that objects like the Morning Star Poles "made for public display" and not for ceremonial use still had "sacred power" deriving from the "spirits which he believes created the land of his mother's people." If these were merely objects—without the divine penumbra—Yumbulul's argument that reproduction on a bank note could not so easily have been licensed might be less compelling.

Our keynote talk in Darwin was, like many scholarly endeavors, the beginning of inquiry rather than the end. Issues in law—authorship, the function of copyright, the role of customary law, and the niceties of duress in contract—were all presented by the \$10 Federal Reserve note. And so, as well, were larger issues in art history—the relationship of the religious to the mundane, the desacralization of images, the genre of works commemorating settlement, the role of official imagery, the selection of imagery for official government currency, the use of images for domination and control. From the Morning Star Pole in Arnhem Land, a treatise in art and law could be written.

Aimée Brown Price received her doctorate in art history from Yale University and specializes in 19th Century European painting. Recently she curated an exhibition of the work of Pierre Puvis de Chavannes for the Van Gogh Museum in Amsterdam and was the author of its catalogue.



"He wants to know if he may make a small sacrifice in front of it."

DRAWING BY CHAS. ADDAMS. © 1941 THE NEW YORKER MAGAZINE, INC.



Cardozo at 20

This fall marked the beginning of Cardozo's 20th academic year. With a variety of celebratory events scheduled well into 1997, it seemed only fitting for the first to be a tribute to the founding faculty members who have been at Cardozo since the School opened in 1976. Mention was also given to those who were at Cardozo in 1976 but no longer teach here, including: Leslie Gerwin, Richard Hobbet, Sybil Landau, and Telford Taylor.

Dean David Rudenstine hosted a reception during the first week of classes where alumni, faculty, students, and administrators gathered and shared stories about the history and founding of Cardozo. The program featured reminiscences by alumni from the first class. Professor Monroe Price, who was in Australia, sent a videotape of his remarks, a transcript of which follows.

Honoring the High Priests

Only kangaroos and emus could keep me away from this extraordinary moment. I'm grateful for the opportunity to provide even a few words of reflection on this the 20th anniversary of the establishment of the most significant American law school founded in the last quarter-century.

The reason I can make that statement—if not a bolder one—lies almost wholly with the vision of the founding dean, Monrad Paulsen: a founding vision made real and specific through the faculty he recruited for Cardozo.

It is blissfully appropriate that our cycle of celebrations commence with a tribute to that founding faculty. It's hard to capsule Dean Paulsen's vision, but I can make a couple of analogies: one from the Jewish tradition and one from copyright law.

In copyright, we make a distinction between the idea



"The rapid transition of Cardozo from a fledgling law school to one of national stature and recognized excellence is largely attributable to the faculty we honor here today. It is they who have significantly shaped the identity of the School. It is a testament to their accomplishments that Cardozo graduates are an integral part of the legal community in New York and Washington and California. I am proud of Cardozo for creating the high standards against which I continue to measure the adequacy of my work as a lawyer."

—BONNIE KAYATTA-STEINGART '79; PARTNER, FRIED, FRANK, HARRIS, SHRIVER & JACOBSON

and the expression, realizing that for an idea to be protected, it must be expressed, made somehow tangible. Paulsen's was the idea and the faculty we honor tonight was the expression. Without them, his idea could not take root. Indeed, they, collectively, were the embodiment of the idea.

From the Jewish tradition, I want to make, with some trepidation and fear of inaccuracy, the distinction between the Kohanim and the Levites, the two groups of the Temple: those who had access to the Holy of Holies, the highest of priests and, then, those who served them. When I came to Cardozo in 1982, it was clear who the high priests were and why they were here. It was they who had access to the vision of Monrad Paulsen and were personally selected by him. We all have been Levites who have come after.

Undoubtedly, much will be said of this special group of high priests we honor tonight—its brilliance, its dedication, its insistence on the highest of quality in teaching and scholarship. I will add one other factor that seemed to me stunningly and creatively present: The founding Cardozo faculty was a veritable encyclopedia of the best of American legal history.

Eva Hanks was the direct descendant of Sonia Mentschikoff and Karl Llewellyn. Ed de Grazia was the exemplar of a public interest scholar-lawyer: not only a teacher, but one who fought in the courts for principles in which he believed, a user of both the pen and the sword. Malvina Halberstam represented the great traditions of public international law—with its centuries of development and the spirit of Louis Henkin, one of Yeshiva's own. Lester Brickman, whose later service as

Cardozo Founding Faculty

Lester Brickman
Edward de Grazia
Malvina Halberstam
Eva Hanks
John Hanks
Peter Lushing
Jonathan Silver



Members of the founding faculty received honorary plaques from Dean Rudenstine. Jonathan Silver; John Hanks and his wife, Fran Condon; and Malvina Halberstam are shown here.

"What was unique for us was that this faculty not only served as our teachers, but also as our upperclassmen. And I say that with a certain amount of emotion because there was something very intimate, zealous, and caring about the way in which they carried out that task. I think of how often classes would stop at the end of the hour, and then simply resume again outside in the hallway. They gave us the confidence to draw the most out of that first-year experience."

—DAVID S. KORZENIK '79; PARTNER, MILLER AND KORZENIK, LLP; ADJUNCT PROFESSOR

dean was indispensable to the survival of the School, had already been one of the giants in bringing the law clinic movement to legal education. Jonathan Silver arrived having already written and worked with Bernard Wolfman, one of the greats of law teaching. Peter Lushing was in the tradition of the witty, acerbic, and brilliant *enfant terrible*. And John Hanks brought not only the tradition of law and economics, but that of the law professor whose contribution to administration is invaluable.

Without John's extraordinary contributions to the management and growth



Jenny Paulsen, Dean Paulsen's widow, is often on campus. She attended the party and is shown here at the Paulsen Moot Court Competition.

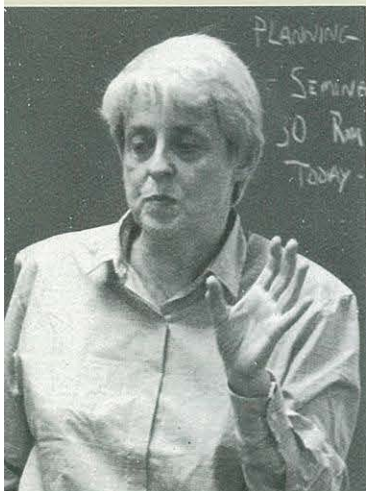
of Cardozo, it would be a very different place.

I could go on and on with each one of Monrad's amazing starters in the race to make Cardozo a superb and distinguished institution. But you get the idea. This was to become a great law school because it had, from the beginning, a great faculty embodying the very, very best of American legal education.

In Sydney, Australia, and among scholars around the globe, there is appreciation and understanding of Cardozo's enormous—out of all expected scale—scholarly contribution to so many areas of law, especially to the ideas themselves of law and justice.

I think and hope that we who have followed have been true to Monrad and the founding group, even as the vision of Cardozo necessarily evolves.

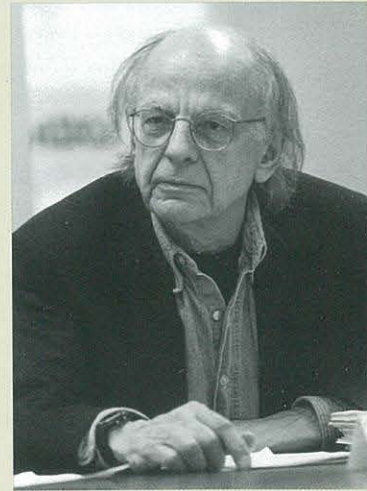
But how do we know—we're only the Levites.



Prof. Eva Hanks, who is on sabbatical, was unable to attend the festivities.



Prof. Peter Lushing celebrates Cardozo's 20th Anniversary. David Korzenik '79, is behind him.



Prof. Edward de Grazia is one of Cardozo's founding faculty.

Cardozo's Deans

by Michael Herz

Associate Dean of Academic Affairs

As Cardozo celebrates its 20th anniversary, it is plain that the School has been not simply amazingly successful but also awfully lucky. Among its happiest pieces of good fortune has been the string of remarkable deans that have led the school since its founding.

MONRAD PAULSEN As someone who arrived at Cardozo once it was well-established, I am consistently struck by how almost every reminiscence (at least every happy reminiscence) of the early years at Cardozo revolves around "the Great Dane," the founding dean Monrad Paulsen.

Monrad Paulsen was the first person hired at Cardozo. It is no exaggeration to say that the Cardozo School of Law was built by, on, and around Monrad Paulsen. It was he who gathered the founding faculty and put in place all the basic institutions of a law school. Monrad thus was essential in every way to the initial and ultimate success of the Law School. As dean of the University of Virginia School of Law, a nationally known scholar,

and a widely quoted authority, Dean Paulsen gave the school instant legitimacy just by agreeing to run it. More importantly, Dean Paulsen lent his sound judgment, acute eye for faculty talent, and broad-ranging interests to the early years of the school.

When I became associate dean, I had the exciting, indeed thrilling, opportunity to read over the minutes of faculty meetings from the earliest days—what some of the younger faculty members at Cardozo refer to as "the Icelandic Sagas." One interesting tidbit that I came upon is that Dean Paulsen officially resigned in December of 1978, planning to return to Virginia the following year. (Fortunately, he let himself be talked into staying at Cardozo.) In his letter regretfully accepting the resignation, Yeshiva University President Norman Lamm wrote:

We at Yeshiva University will be ever grateful to you for your historic contribution in developing the

Cardozo Law School from its infancy. I believe that in the years to come, the entire legal profession, and especially the student body of Cardozo, will feel ever more indebted to you as they realize the superior legal education that distinguishes this school.

President Lamm's words were prophetic.

LESTER BRICKMAN When ill health prevented Dean Paulsen from continuing as dean in the fall of 1980, the University turned to Professor Lester Brickman to step in as acting dean, a position he held for almost two years. Lester was a member of the School's founding faculty and had taught at the University of Toledo Law School before coming to Cardozo. He took over at a critical juncture. The School had graduated only two classes; it was not yet accredited; and its future was still uncertain. Only because of yeoman labor by Dean Brickman, including his overseeing a site visit and extensive presentations and discussions, did the ABA finally grant Cardozo full accreditation. Lester was also responsible for obtaining funding for and establishing the Criminal Law Clinic, and for establishing the *Arts and Entertainment Law Journal*. He returned to full-time teaching and scholarship in 1982, when Monroe Price left a professorship at the UCLA Law School to assume Cardozo's deanship.

MONROE PRICE Monroe is the first of Cardozo's deans that I personally saw in action. He is someone who is absurdly overextended; he always has a thousand things going on at once. My main mental image of Monroe as dean is of him flying through the halls—tie askew, jacket flapping—and stopping to pick up a phone to make a quick call to someone in the building while he was dashing, already late, from one meeting to the next. During his deanship, the school took on some of this character. The Price years were filled with activity. His significant achievements include the Accelerated Entry Program, the founding of The Samuel & Ronnie Heyman Center on Corporate Governance, creation of the Bet Tzedek and Criminal Appeals Clinics, hosting a variety of stunning symposia supported by the Jacob Burns Institute for Advanced Legal Studies, establishment of the Summer Institutes here in New York and various foreign programs for summer study, creation of the Center for Professional Development, and the continued growth of and support for the faculty—to name just a few. Most of all, Price's tenure as dean was a period in which the School discovered a new and extraordinary intellectual ambition. I recall meeting Monroe when I was trying to decide whether to accept a job at Cardozo or at another law school. I thought then that with Monroe as dean, Cardozo had to be the more interesting school, and I have never doubted that judgment.



Dean Paulsen

FRANK J. MACCHIAROLA After nine fruitful years, Monroe returned to teaching and scholarship as a member of the Cardozo faculty, turning the deanship over to Frank Macchiarola in 1991. Unlike his predecessors, Frank was not a distinguished law professor; he was, instead, a distinguished just-about-everything-else. Best-known for being chancellor of the New York City schools system, he was one of the few to hold that notoriously difficult position and "leave office with his reputation intact" in the words of *The New York Times*. He had taught at the City University of New York, Teachers College of Columbia University, and the Columbia Business School; and held a host of other positions in the public service arena. Thus, he brought to the deanship a wealth of administrative experience and, most of all, a commitment to the highest ideals of education. The Macchiarola years were characterized most, I think, by an intense interest in the School's educational mission and its responsibilities toward students. Frank liked and respected the faculty; he loved the students. The School was in many ways transformed during Frank's deanship: He oversaw huge increases in student financial aid, a new student lounge, new elevators (seen by many as the largest single contribution to the quality of life at

Cardozo ever achieved), and classroom renovations. Perhaps most importantly, he inculcated a culture of community and mutual concern.

Frank's career, as he himself has often noted, has occurred in five year segments. So perhaps it was predictable that after five years as Cardozo's dean, he would be off to new challenges. In June 1996, he became president of his alma mater, St. Francis College in Brooklyn.

DAVID RUDENSTINE A search for a successor is now underway. While that takes place, the dean *ad interim* is David Rudenstine, who has been on the Cardozo faculty since 1979 and was associate dean for academic affairs during the last two years. His new book, *The Day the Presses Stopped*, a fascinating account of the Pentagon Papers case, was featured in the last issue of *Cardozo Life*.

David faces new challenges as the 21st century approaches. Legal practice and legal education are being transformed by technological change, increasing globalization, a downward turn nationwide in law school applications, and a shifting market for legal services. I know that David is more than up to the task before him. I also know that he will succeed not only because of his own talents, which are myriad, but because of the talents of the four deans who preceded him. ■

Deans Macchiarola, Price, and Brickman.



Tort Reform:

A Way to Protect Customers

Lester Brickman
Professor of Law

The following is a speech delivered in August before the annual meeting of the American Legislative Exchange Council (ALEC), an organization of several thousand state legislators and members of the private sector.

Appearing before the American Legislative Exchange Council to speak on tort reform makes me feel a bit like one of Elizabeth Taylor's husbands—I know what I'm here to do. The challenge is to make it interesting.

I'm sure many of you have seen the recent movies with Jack Lemmon and Walter Matthau playing grumpy old men. I wonder whether you remember a movie they did 30 years ago, *The Fortune Cookie*, in which Lemmon played a TV cameraman injured slightly while filming a football game and Walter Matthau played his attorney. There is a memorable scene where Matthau visits Lemmon in his hospital room and, to his utter dismay, finds Lemmon walking around and looking much too healthy. He orders him to put on his cervical collar and to get back into bed. Everyone watching the movie knew exactly what was going on. On cue, Lemmon would don his cervical collar and writhe in pain while Matthau argued whiplash and collected a 50% contingency fee.

The cervical collar is more than just a big pain in the neck for the American motorist who pays inflated insurance costs. It is a symbol of how the contingency fee system has spawned the injury industry. Two-thirds of auto accident claims for bodily harm include whiplash. Despite all the miracle cures of modern medicine, whiplash remains untreatable. Ever wonder why? Some Danish scientists, concerned about an epidemic of whiplash claims, tried to find out. They selected a neighboring country that had a system of state paid medical care but no auto accident litigation. If you were injured, your medical expenses were paid by the state, but you could not get compensation for pain and suffering. What was the incidence of whiplash? Zero. People who had been in accidents had no more or less chronic neck pain than people who had not been in accidents. In other words, chronic whiplash is not a medical event, it is simply a reflection of the compensation system.

This country is the world leader in



MUSEUM OF MODERN ART / FILM STILL ARCHIVE



whiplash claims because nowhere else is the profit motive such an integral part of the accident compensation system. Contingency fee math provides a clear explanation. As a rule of thumb, pain and suffering damages—which account for almost 50% of total tort damages and were invented by judges as a means of compensating contingency fee lawyers—are worth about three times actual damages, which are mostly medical expenses. Given the

incentive for lawyers to run up a client's medical bills in order to run up contingency fees, it is no surprise that, according to the Rand Foundation Institute for Civil Justice, 35% to 42% of medical costs claimed from automobile accidents are fraudulent—the result of contingency fee induced claim build-up. These excess medical claims cost the American consumer \$15 billion a year in higher auto insurance costs. Here's why.

When lawyers are hired to handle accident claims, medical expenses for the injuries average two to three times higher than for identical injury claims requiring the same treatment where there is no lawyer representation. Auto insurance costs go up far in excess of inflation because attorney involvement in auto insurance claims keeps going up, from 18.6% in 1977 to 41.5% in 1992.

One way to instantly double, triple, or even quintuple the number of medical care visits for the average auto accident claim is to enact a so-called no-fault law with a dollar threshold for bringing suit. When Massachusetts increased the threshold for bringing suit from \$1,000 to \$2,000 of economic damages, the median number of medical treatment visits per claimant immediately rose from 13 to 30.

How can we remove the profit motive from the tort system and save billions and billions of dollars in unneeded and fraudulent medical care costs and lawyer fees? By focusing our attention and efforts on the financial incentives that drive our tort system—on the contingency fee engine.

The contingency fee engine is running at full throttle because lawyers have created a lucrative system that enables them to get effective rates of thousands of dollars an hour. In my writings, I document instances of effective rates of \$10,000 or even \$25,000 an hour in contingency fee cases where there is no issue of liability. It is no wonder, then, that the amounts of wealth transferred under

the aegis of the tort system have increased faster than in virtually all other social transfer systems, including social security, Medicare, and workers' compensation. We, as consumers, pay the costs of the tort system in the form of higher product prices. The tort tax is every bit as real as the sales tax and aggregates about \$150 billion a year; as a percent of the GNP, it averages 2.2 times the tort costs of most European countries.

What we need are speed brakes to slow the contingency fee engine to a more moderate pace. Let me suggest a few approaches that differ fundamentally from such traditional tort reforms as capping types of damages or making it more difficult to litigate claims. Instead of playing the takeaway game and reducing the rights of consumers to sue for injury, I propose to give the consumer added rights. I propose consumer protection laws to give consumers choices with regard to the purchase of auto insurance and protect them from fee gauging.

Under an "auto choice" proposal, introduced into the US Senate by Bob Dole on the day he left the Senate and co-sponsored by Senators Mitch McConnell, Joe Lieberman, and Patrick Moynihan, drivers would have a choice of whether to purchase insurance coverage similar to what currently exists, or coverage limited to paying out economic damages and omitting pain and suffering. Injured motorists would collect from their own insurance company regardless of who was at fault in an accident. If drivers chose coverage limited to economic losses—even though their coverage would be substantially higher than most policies—they would save, on average, 30% of current auto insurance rates. Over seven years, the total savings would be about \$300 billion.

Under anti-price gauging legislation, when defendants make early settlement offers instead of enabling the lawyer to get a windfall by charging standard contingency fees ranging

from 33% to 50%, the fee would be calculated on an hourly rate as negotiated with the client. If the settlement offer is not accepted and the plaintiff proceeds to suit, the attorneys can collect a contingency fee only on the amount awarded above the settlement offer. The ethical requirement that there be a contingency to justify charging a contingency fee—that is, that lawyers bear some realistic fee risk to justify charging a substantial risk premium—would be restored. The early offer settlement proposal has also been introduced into the Senate by former Senator Dole and co-sponsored by Senator McConnell. Requiring that fees reflect value adding efforts rather than the monopolistic control that lawyers exercise over access to the tort system would have profound consequences. Billions and billions of dollars would be transferred from lawyers—both plaintiff and defense lawyers—and from medical care providers, to injured claimants (in the form of higher net recoveries) and to consumers (in the form of lower insurance costs).

It is possible to slow down the contingency fee engine and restore a measure of sanity to the tort system. Walter Matthau's telling Jack Lemmon to put the collar back on is symbolic of the collar that lawyers have put around the necks of the American consumer. You have the power to liberate the consumer from the lawyers' grasp. It will be a formidable task to convert the cervical collar into an historical artifact—one that will pit the interests of the injury industry and their legislative allies against those of the business community and real proponents of consumer rights. The battle will be fought in the court of public opinion and in state and federal legislative arenas. If the business community can learn from its mistakes, and move from playing the takeaway game to becoming a champion for consumer choice and consumer protection, we can all win. ■

news & notes ALUMNI

Class of '96 Elects Representatives to Coordinating Committee

Elections were held during the summer to fill two positions on the Coordinating Committee, the governing body of the Cardozo Alumni Association. Elaine Cheng and Joel Schmidt were elected to three-year terms representing the Class of 1996. Judy Abrams is the alternate.

Alumni Association Scholarships go to Seven

Seven members of the class of 1996 received Alumni Association scholarships made possible by contributions received during the Alumni Association Scholarship Fund annual appeal. These scholarships, which assist second- and third-year law students with their tuition, are awarded on the basis of financial need, community or law school service, academic achievement and publications, and/or to students with disabilities or those who are disadvantaged in some way. Scholarships of

\$1,500 were given to Neil J. Koren, Theresa B. Moser, and Asher Rubinstein when they were 2Ls and to Elaine May Cheng, Joseph Roy ("Jay") McKechnie, Jr., and Cindy Moy when they were 3Ls. Rina Elizabeth Terán received \$2,000 this year when she was named the winner of the Monroe E. Price Scholarship.

Neil J. Koren, A.B., *University of Michigan*, received the Felix Frankfurter Award when he graduated *magna cum laude* from Cardozo. He was the editor-in-chief of the *Arts & Entertainment Law Journal (AELJ)* and is an associate at Schulte Roth & Zabel.

Theresa B. Moser, A.B., *Stanford University*, graduated *cum laude* from Cardozo and was awarded a Jacob Burns Medal for special contribution to the Law School. She is on the central legal research staff for the New York Court of Appeals.

Asher Rubinstein, A.B., *University of Michigan*, is an associate at Grunfeld, Desiderio, Lebowitz & Silverman. At graduation, he won three Jacob Burns Medals for being a member of the 1995 National Moot Court Team, as Best Oralist, and for Best Brief in the

Competition. He was a member of the Order of the Barristers, the National Moot Court Honor Society.

Elaine May Cheng, B.A., *University of Chicago*, was

the competitions editor/Paulsen editor of the Moot Court Board, and a member of the Order of the Barristers. She is a legal editor in the Intellectual Property



Macchiarola Bids Adieu to Graduates and Cardozo

Frank J. Macchiarola delivered the keynote address and announced that he was stepping down from his deanship at the 18th commencement ceremony. This year's graduation was held June 9th at Avery Fisher Hall, where 307 men and women received juris doctor degrees. Macchiarola fondly reminisced about the good times he has shared with the faculty, students, and administration during his tenure. Commenting on Macchiarola's departure, Yeshiva University President Norman Lamm said, "Frank Macchiarola has served Cardozo with distinction for five years. Under his leadership, the school has continued to grow and flourish, and we are thankful for the work he has done." Dean Macchiarola is shown here congratulating Rina Elizabeth Terán, winner of the 1996 Monroe E. Price Scholarship.



A Moot Court Honor Society reunion was held before the final rounds of the Paulsen Moot Court competition. Judge Edward Korman (at right), who judged the competition, is shown with Christopher Garvey '81.



The Manhattan Penthouse was the location of this year's *Cardozo Law Review* reunion. Alumni met with current students, faculty, and staff. Hugh McGovern '80, Senior Vice President, Smith Barney Inc., is shown with Dean Rudenstine.



Zachary W. Carter, US Attorney, Eastern District, NY gave the keynote address at the second annual BALLSA Alumni dinner. Current students and alumni attended the event at which Sherril Cleveland '97, was named president of the organization for this academic year. Daniel Ferreira '92, Keith Santillo '93, and Andrea Robinson '94, were among alumni returning to Cardozo.



Alumni greet Toby Golick, Clinical Professor of Law and Director, Bet Tzedek Legal Services Clinic, and Dean David Rudenstine at the well-attended Public Interest Law Breakfast in October. Professor Golick spoke about the new welfare reforms and their significance for lower-income families and children living in New York City.

Department at Matthew Bender.

Joseph Roy ("Jay") McKechnie, Jr., B.A., City University of New York, a *cum laude* Cardozo graduate, was the articles editor of the *AELJ* and received a Cardozo Public Interest Summer Stipend at the end of his first year. He is an associate at Kelley Drye & Warren.

Cindy Moy, B.S., New York University, is a *cum laude* Cardozo graduate and was the notes & comments

editor of the *AELJ*. She works at TVT Records. After her first year at Cardozo, she won a New York County Lawyers' Association Minority Judicial Fellowship.

Rina Elizabeth Terán, B.A., Columbia University, won the Dr. Samuel Belkin Award at graduation. She is clerking for the Honorable Vanessa Ruiz of the D.C. Court of Appeals and will begin work in 1997 at Kaye, Scholer, Fierman, Hays & Handler.

Have You Graduated since 1993?

The Loan Repayment Assistance Program at Cardozo benefits graduates who are pursuing careers in public interest law. The program was established in recognition of the fact that with few exceptions, public interest jobs pay considerably less than those in the private sector. By the time many Cardozo students

graduate, they have accumulated so much educational debt that the choice of public interest law may present insurmountable financial obstacles. The Cardozo Loan Repayment Assistance Program was designed to alleviate some of those burdens.

Graduates who received a J.D. from Cardozo in 1993 or later are eligible to apply. Contact the Office of Student Finance at (212) 790-0392 to request an application.

Alumni Reunions

Close to 200 alumni attended Reunions of the Classes of 1981, 1986, and 1991. The festivities took place last May at Bridgewaters in South Street Seaport. In the pictures here, all captions read left to right.



Lynne Goldberg Moorhouse '91 and her husband, Allison Miller '91, Jillian Spitalnik Winoker '91, Jill Weintraub '91.



Ava Alterman '81, Lauren Bernstein, Darryl Vernon '81, Patricia Loquet '81, Mitchel Herstic '81, Howard Strongin '81.



Rebekah Costin '86, Sheara Arbit '86, Hannah Holmes Freilich '86, Paul Freilich '86.



Maurice Fedida '91, Cheryl Bernstein '91, Prof. Melanie Leslie '91.



David Katz '81, Dean David Rudenstine, Paul Moskowitz '81, Brad Eisenpress '81.



Darryl Vernon '81, June Diamant '81, Ava Alterman '81, Robert Graubard '81.



Prof. David Carlson, Richard Tabachnik '86, and his wife.

Sixteen Cardozo Alumni Admitted to Supreme Court Practice

Former Dean Frank J. Macchiarola joined 16 alumni who attended the US Supreme Court Swearing-In Ceremony in Washington, D.C., last April. They included Jeffrey A. Barr '83, Eric T. Fingerhut '90, Arthur G. Fischer '89, Roberta Koerner Glassner '89 (whose son, Bruce, was also sworn in with the group), Alvin Craig Gordon '92, David E. Gross '91, Sanford J. Hausler '87, Warren S. Hecht '86, Peter L. Herb '89, Chris X. Lin '92, Gail Elysa Markels '81, Michael J. Roberts '80, Rochelle Dana Schattner '80, Joseph Raymond Stello '88, Michele Weissman '90, and Elaine Hope Witty '91. Justice Ruth Bader Ginsburg attended the reception for admittees and their families that followed the ceremony.



ClassActions

Keep your classmates posted by sending your personal and professional news. Photos are always welcome. Mail to: Alumni Affairs, Cardozo School of Law, 55 Fifth Avenue, New York, NY 10003. Fax: 212-790-0232

Name _____ Class _____
Home address _____
Business address _____
Phone (day) _____ (evening) _____
Fax _____ E-mail address _____

Serve as a Resource

We need your help. If you would like to be a mentor, alumni ambassador, or help us place current students and graduates, please let us know. Mail the requested information to Dean Ellen Cherrick at the above address or call 212-790-0358.

- ☐ I am interested in being a mentor to law school students in my area of specialization.
- ☐ I would like to be an alumni ambassador. I will meet or speak by phone with applicants to Cardozo from my undergraduate college or current home town.
- ☐ I know of a job opening for a ____ year law student/graduate attorney.

Name _____ Cardozo class _____ Undergrad College _____
Address _____ Phone _____
Area of specialization _____
Job available at _____

ClassActions

1979

Howard J. Finkelstein has been appointed counsel at Parker Chapin Flattau & Klimpl, LLP, where he practices in the areas of banking and corporate law. **Blanche L. Gelber** and **Ellen W. McBride** retired from practice earlier this year. Blanche was a solo practitioner, author, and lecturer in the field of adoption law; and Ellen was in partnership with her father at Schreiber and McBride, practicing corporate law. Condolences to **Alan E. Goldberg** on the loss of his mother, Illean. **Rachel Potasznik**, a Peace Corps Volunteer in Botswana, is the project coordinator for the Khama Rhino Sanctuary Trust, a wildlife sanctuary and conservation project spread over 10,625 acres of the Kalahari Desert. Rachel and the sanctuary welcome and need your contact and support; her address is P.O. Box 10, Serowe, Botswana. For the past two

years, **Faith Toraby** has been the president of the Women's Division of UJA/Federation of Greenwich, CT. She is also a member of the UJA National Young Leadership Cabinet, a member of the town's Historic District Commission, and recording secretary for The Historical Society of the Town of Greenwich, where she lives with her husband and two daughters.

1980

Marian C. Doherty has been named a Judge of the Housing Part of Civil Court of the City of New York. **Ruth Gursky** announces that she has submitted three biographies for inclusion in *Jewish Women of America: An Historical Encyclopedia* to be published in the spring of 1997. **Carol Kronman** created and sponsored a conference entitled *Building a Working Relationship*, designed to bridge the gap between public entities and private bond/insurance

providers. Also at the conference were **Frederick Levine '93**, and **Dara Norman '95**. Carol is on the Board of Directors of Stern College and the Ort Board. After leaving her position as general counsel to the Mayor's Office of Construction, she launched "The Kronman Letter," devoted to insurance and bond providers and users. **Barbara Odwak** stepped down as vice president of the Women's Bar Association of the State of New York, but notes that she will continue her involvement in that organization. She is also director/trustee of the Brooklyn Bar Association.

1981

Lois Lipton has been elected secretary of the Bergen County (NJ) Bar Association, the first woman to hold that office. In Springfield, MO, **Peggy S. Hedrick** was featured as the Woman of the Month in the November 1995 *Today's Women Journal*. She is in solo practice in the areas of domestic, consumer, criminal, and civil rights litigation; and employment law. **David Kahn** and his wife, Nicci, announce the birth of their third child, Ronit. David is with Corrinne Davar Property Consultants, Jerusalem.

1982

Jonathan Drapkin has been named to a four-year appointment as county manager of Sullivan County (NY). Prior to this, Jonathan was director of the New York City office that

investigates city agencies for Peter Vallone, speaker of the NYC Council. **Virginia M. Handal** married Thomas J. Miller. She is in private practice in New York. **Darnay Hoffman** was the defense lawyer for Bernard Goetz in his recent civil trial. **Samuel L. Pinkus** has been elected chair of the New York State Bar Association's Entertainment, Arts & Sports Law Section. He is counsel at the literary agency McIntosh & Otis in New York City, practicing in the areas of intellectual property, libel law, and trusts & estates. **Mark Samuel Ross** has been selected for inclusion in the 9th edition of *Who's Who In American Law*. Mark is also an owner of Menorah Chapels, a funeral home in Union, NJ; the author of "Through My Father's Eyes," a weekly column that appears in several Jewish newspapers; and an attorney in private practice in Union.

1983

Linda H. Samson, a partner at Gerber & Samson in Wayne, NJ, has been named president of the Passaic County Bar Association. She is the first woman to hold the office in the organization's 107-year history. She is past president of the Passaic County Women Lawyers Association.

1984

Condolences to **Susan Halpern** on the loss of her mother, Ruth Chinitz Uris. **Thom Kleiner** was elected



Dara Norman '95, Frederick Levine '93, and Carol Kronman '80, at the conference, "Building a Working Relationship."

supervisor of the Town of Orangetown (pop. 46,000) in Rockland County (NY). He is the second Democrat to hold that seat in 20 years. Prior to assuming this position, Thom was an attorney for the New York City Department of Consumer Affairs. **Steven R. Millon** has been elected chair of the New York State Bar Association's Young Lawyers Section. He is a senior associate at the law firm of Maxwell S. Pfeifer, Bronx, NY, practicing in the area of tort litigation.

1985

Alan M. Greenberg has opened a law office on Madison Avenue in New York, where he practices in the area of personal injury litigation.

Cheryl Milstein was co-chair of the Westchester Holocaust Commission's second annual fundraising gala held in October at the Performing Arts Center of Purchase College. She is a member of the board of the Kids' BASE, the Little School, and the YM & YWHA of Mid-Westchester. After a brief stint in the business world, **Jeffrey A. Sims** is living in Israel and has returned to the practice of law. **Steven B. Steinmetz** is a partner in the law firm of Ivey, Barnum & O'Mara in Greenwich, CT.

1986

Nelson Perel was named a partner in the Rochester, NY law firm Harris Beach & Wilcox, LLP, where he is a member of the Environment Department.

1987

Mark A. Feldman is the founder and president of the Asset Forfeiture Network (AFN) in Los Angeles, which

provides expertise to attorneys defending cases with asset forfeiture and double jeopardy implications. He is author of the *AFN Library of Briefs*. His article on forfeiture, "Probable Cause Must Go," was published in the May 1996 issue of *The Champion*. He was interviewed on National Public Radio's "All Things Considered" on June 24, 1996, after the US Supreme Court ruled on a case he had prosecuted as an Assistant US Attorney in Los Angeles. Mark was an AUSA from 1990 until 1994, specializing in asset forfeiture prosecutions and appeals. He welcomes your e-mail at AFNmail@aol.com. **Eric D. Herschmann** joined Kasowitz, Benson, Torres & Friedman as a partner in January 1996. The law firm practices in the areas of civil and criminal litigation and bankruptcy. **Kenny Schachter** was featured in the cover story on the new era of art dealers in *The New York Times Magazine* on September 1, 1996. **Stephen Verp** has been appointed to a managerial and sales position at Milton Paper Co.

1988

Linda Reiss-Wolicki and her husband, Zvi, announce the birth of their son, Avraham Moshe, on April 20 in Jerusalem. Linda opened a law office in Givat Sharet, Beit Shemesh, Israel. **Val Sherman** made his Off-Broadway producing debut as associate producer of the 1996 Pulitzer finalist, *Old Wicked Songs*, at the Promenade Theatre. He recently wrote and produced *Broadway Loves Lucy*, a musical celebration of Lucille Ball, as part of this

year's LucyFest in James-town, NY. Val is tour director for The National Shakespeare Company and is developing two original musicals.

Jonathan Siegal and **David A. Schrader** were named partners in the West Orange, NJ law firm Alpert & Raice, P.C. In July, **Rebecca E. White** was named a partner in the Litigation Department at Loeb & Loeb in NYC.

1989

Felicia P. Beubel is a partner at Winick & Rich, P.C., Manhattan. She specializes in commercial real estate and general corporate law. She lives with her husband, Jeffrey Tuchman, and two children, Simon, 10, and Nathan, 8, in Pleasantville, NY. **Douglas Walter Drazen** ran as a Republican candidate for Congress in the September primaries of the 26th Congressional District in upstate New York. **Tom Furth** has been named a partner at Levisohn, Lerner, Berger & Langsam in New York. He practices intellectual property law in the areas of litigation, licensing, computer software, and product design protection.

Andrew Schorr and **Elisa Cullen** '90, announce the birth of their daughter, Emma Perel. **John Seminerio** has announced that he will run for Democratic District leader in the 38th Assembly District Part B. He is currently acting president of the Woodhaven Residents Block Association. **Jenny Skoble** and her husband, Lou Levinson, announce the birth of their son, Eli Aleksander, on September 23. **Debora Andrews Steiner** and her husband, Peter, started Steiner Bio-Medical Communications,

Inc., a public relations firm specializing in biotechnology, pharmaceuticals, and health care. **Jeffrey Weitzman** has been appointed chief operating officer of Counsel Connect, a leading online service for lawyers. He will oversee its day-to-day operation and administration, and will continue to play a role in defining the service's long-term strategy. **Michael J. Wildes** is the resident partner in the recently opened Fort Lee, NJ office of Wildes & Weinberg, a practice in US immigration, nationality, and consular law. He also announces that he and his wife, **Amy Wildes** '91, have a new daughter, Lauren Ruth. **Valerie S. Wolfman** has opened a law office in the Empire State Building, where she practices in the areas of divorce litigation and employment.

1990

James M. Aries has been named director of leasing at Greenwich-based Bryant Development Corp. He is responsible for lease negotiation and preparation and direct marketing for Bryant's retail portfolio. **Karen Blumenfeld** received the New Jersey Health Commissioner's Award in recognition of outstanding achievement in tobacco control in the State of New Jersey. In March 1996, she met with President Clinton and Vice President Gore and thanked them for creating a smoke-free environment in the White House. **Andrew Horn** was honored for helping to craft the Penguin Repertory Theater in Stony Point, NY. Specifically, he helped transform the Penguin Repertory from a summer theater house to a

non-profit professional equity stage. He raised funds and even appeared onstage in several leading roles. He also practices criminal law in New York City. **Jill Konviser** has been named a manager in the Forensic and Investigative Services practice of KPMG Peat Marwick LLP. **Michael F. Nias** is with the Foundation for Contemporary Mental Health in Washington, D.C., where he practices in the areas of forensics, family law, mental health, and substance abuse. He received a Masters of Social Work degree in 1996 from the Smith College School for Social Work. **Ben Niderberg** has joined the firm Schneider, Harris & Harris in Woodmere, NY as a senior trial attorney.

1991

Jedidiah O. Alpert has joined the firm of Rudolph & Baer as a partner. He practices in the areas of entertainment, new media, publishing, and corporate law. Four out of five attorneys, a law clerk, and two prior associates from the Law Offices of **Eric M. Davis** hail from CSL. He comments, "We are committed to using our firm's growth and status to aid fellow Cardozo students and alumni. It is that same support and comradeship from fellow grads that was integral to our initial and continued success." **Reuven Kahane** moved to Israel in 1994. He owns a chain of bagel shops, Bonkers Bagels.

1992

Rabbi Shalom Baum and his wife, Deborah, were honored for infusing new life into the 60-year-old Congregation Ahavath Achim of Fairfield

County (CT). Since joining the board, he initiated outreach to Jewish families, developed new educational programming for all ages, and welcomed Russian immigrants to the synagogue.

Susan Schuchinski, director of planning and operations for development for the Anti-Defamation League in New York, wed Len Weintraub in July 1996. **Mary Watson**, who is an associate at Cleary, Gottlieb, Steen & Hamilton, has been elected to the Board of Trustees of Saint Ann's School in Brooklyn.

1993

Ira Brody is challenging incumbent state Senator Oppenheimer for her seat in Albany. He is "fighting for the middle class and for Westchester." He has been assistant secretary to Governor Pataki and acting assistant commissioner for Mayor Giuliani. **Matthew Cahn** is teaching English at River Dell High School, NJ. **Rabbi Leonard Guttman** is deputy commissioner and general counsel for the City Commission and Consular Corps, a liaison between New York City and the diplomatic community. He married Carolynne Joy Train in September at Gracie Mansion.

Wendi Lazar has left the Immigration and Naturalization Service of the US Justice Department to start her own practice in Manhattan, working on immigration and naturalization cases, as well as federal, civil, and criminal litigation. She was nominated recently as a member of the Committee on International Human Rights of the Association of the Bar of the City of New York. **Sharyn E. (Korobow) Lewis** has joined

The Legal Aid Society as a staff attorney in the Civil Division. She practices in the Housing Unit of the Bronx Neighborhood Office. In March, **Sharon Margolies Siegel** and her husband, Michael, had their first child, Brian Marc. Sharon works in trusts and estates law at Kurzman, Karelsen & Frank.

1994

Beth Feig Bressler has been named an associate in the Livingston, NJ office of the Philadelphia law firm Marshall, Dennehey, Warner, Coleman & Goggin, where she practices in the areas of professional and general liability. **Ilana Eden** and **Timothy Matteson** were married in Tarrytown, NY in September. **Stephanie Ilberg** has become a deputy state attorney in Barre, VT.

Dolores Raeben announces the bar mitzvah of her son, Joshua. **Alan Wolf** has been named by Federal District Court Judges Jack Weinstein and Harold Baer to the panel that will help select experts to review the scientific issues involved in the silicone breast implant litigation. Alan is also an associate professor of physics at Cooper Union.

1995

Madeleine Pelner Cosman formed Medical Equity, Inc., to help doctors liquidate or transfer their practices. She is also a professor *emerita* at City College of the City University of New York. She frequently lectures nationally and internationally, and is a prolific author. One of her titles, *Fabulous Feasts*, was nominated for the National Book Award. She is a Life Fellow at

the New York Academy of Medicine and runs seminars there. Last year, she presented a series at the Metropolitan Museum of Art on the "Magnificence of Medieval and Renaissance Jewry."

John Dalli is a partner in the law firm Dalli & Marino in Uniondale, NY. **Dara Norman** is an associate with **Frederick Levine** '93. Nine days after starting work, she made an oral argument before the Appellate Division, First Department. **Steven Fromewick** has returned from Washington, D.C., where he served as Assistant Democratic Special Counsel for the US Senate, Special Committee to Investigate Whitewater and Related Matters. He worked directly with Maryland Senator Paul Sarbanes and Special Counsel Richard Ben-Veniste. **Julia Marie Murray** is a staff attorney with the Legal Aid Society, Bronx Neighborhood Office, where she specializes in landlord-tenant litigation. **James E. Raved** has joined Postner & Rubin, a nationally recognized construction law firm in New York City. In June, **Jacob W. Schrader** was married to Amy Beth Blumberg in Philadelphia.

1996

Judah Prero, Deputy Counsel to New York City Councilman Noach Dear, and his wife, Esther, announce the birth of their daughter, Sarah, who joins her brother Daniel in the Prero family. **Joel Schmidt** is clerking for Justice Dorit Beinisch at the Supreme Court of Israel through July 1997.

IN MEMORIAM

Sheila Wasserman Appel '81

**BENJAMIN N. CARDOZO
SCHOOL OF LAW**

Yeshiva University
Brookdale Center
55 Fifth Avenue
New York, New York 10003-4391

David Rudenstine
Dean ad interim

Ellen R. Cherrick
*Associate Dean for Placement,
Student, and Alumni Affairs*

Michael Herz
*Associate Dean for
Academic Affairs*

BOARD OF DIRECTORS

Earle I. Mack
Chairman

Stephen J. Schulte
Sheldon H. Solow
Vice Chairmen

Stephen B. Siegel
Treasurer

Ronnie Heyman
Secretary

Harry Bauer

Leon Black

Harvey R. Blau

Leon H. Charney

Amy Kohn Goldberg

Arthur M. Goldberg

David S. Gottesman

Abraham S. Guterman

E. Billi Ivry

Dr. Ira Kukin

Dr. Norman Lamm

Hirschell E. Levine

Jeffrey H. Loria

Harvey L. Pitt

Lawrence Ruben

Michael Saperstein

Hon. Jerome Schutzer

Barry K. Schwartz

Romie Shapiro

Leon Silverman

Ronald S. Taft

Rachel L. Warren

Siggi B. Wilzig

Selig A. Zises

Honorary Directors

Morris B. Abram

Joseph Appleman

Hon. Marvin E. Frankel

Hon. Stanley H. Fuld

Prof. Milton Handler

Prof. Louis Henkin

Samuel J. Heyman

Edgar J. Nathan III

DIRECTORY

General Telephone
212-790-0200

Admissions
212-790-0274

Alumni Affairs
212-790-0298

Chutick Law Library
212-790-0285

Dean's Office
212-790-0310

Development
212-790-0288

Financial Aid
212-790-0392

Professional Development
212-790-0358

Public Relations
212-790-0237

Registrar
212-790-0295

Student Services
212-790-0313

Web Site
<http://yu1.yu.edu/csl/law>

20th Anniversary Cardozo Calendar of Events

NOVEMBER 12

Commemoration:
Professor James B. Lewis

NOVEMBER 13

Mentoring Reception

NOVEMBER 14

Law & Humanism
Speakers Series

NOVEMBER 15

Symposium:
Children's Rights in the
Digital Age

JANUARY 6

Alumni Reception in
Washington, DC

FEBRUARY 17

9th Annual International
Law Careers Day

MARCH 31

US Supreme Court Admission
Ceremony and Reception

APRIL 8

Convocation and Dinner
in honor of
King Juan Carlos of Spain

MAY 8

Reunions for Classes of
1982, 1987, and 1992

JUNE 15

Benjamin N. Cardozo
School of Law
Commencement